

DEVELOPMENT MANAGEMENT COMMITTEE REPORT – 15th APRIL 2026

Application Number	3/24/0091/OUT
Proposal	Outline planning application, with all matters reserved except for means of access, for C3 residential development (up to 95 dwellings) and associated landscaping, open space, pedestrian and cycle linkages, internal roads, drainage and sewerage (including SUDS) and associated infrastructure, together with land for cemetery, education and allotment uses
Location	Land East Of High Road High Cross Hertfordshire
Parish	Thundridge Parish Council
Ward	Ware Rural

Date of Registration of Application	22.01.2024
Target Determination Date	30.04.2026
Reason for Committee Report	Major application
Case Officer	Joanna Russell

RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions set out at the end of this report and the completion of a Section 106 Legal Agreement.

1.0 Summary of Proposal and Main Issues

- 1.1 This application seeks permission for the erection of up to 95 dwellings with all matters reserved except for access. The proposal also includes the provision for associated landscaping, open space, pedestrian and cycle linkages, internal roads, drainage and sewerage (including SUDS) and associated infrastructure, together with land for cemetery, education and allotment uses.
- 1.2 The application is accompanied by parameter plans that provide the basis for the development of the site. These show building heights and density, access and movement and land use and landscape. An outline design code and illustrative concept masterplan have also been submitted which, while not to be approved at this stage, provide further guidelines about how the site can be developed.

- 1.3 The site is not allocated for development, or any other use, within the East Herts District Plan 2018. The site lies outside the designated village boundary of High Cross and is within the Rural Area beyond the Green Belt.
- 1.4 The main planning issues relate to the balance between the beneficial aspects of the provision of housing and affordable housing weighed against any negative aspects arising from the development.
- 1.5 The proposal would have a visual impact on the character of the landscape. There are no landscape, heritage or environmental designations on the site.
- 1.6 The site is well related to the village core and is enclosed/contained by the A10 to the east, and by housing development to the west and south. The Sutes farm complex to the north including the existing farm access road also acts a further urban influence that contains the development. However, the services that are available in the village are limited and future residents would be reliant on private transport to an extent notwithstanding that High Cross is relatively close to the main settlements of Ware and Hertford and the primary highway network and there is a connecting local bus service. There are no statutory consultee objections raised in response to the consultation process carried out as part of the planning application.
- 1.7 Consideration must be given to the presumption in favour of sustainable development as set out in the National Planning Policy Framework noting the policies in the District Plan relating to supply of housing are out of date.

2.0 Site and Surroundings

- 2.1 The site is located adjacent to the north and east of the settlement boundary of High Cross village. The site (and village) are sited within the Thundridge Neighbourhood Plan Area.
- 2.2 The site is of a relatively flat gradient and is currently being used for agricultural purposes (Agricultural Land Quality 3B). It is bound by development to the north, west and south and farmland to the east with the A10 road beyond that.
- 2.3 To the north is Sutes Farm, including the Grade II* Farmhouse barn and associated buildings. To the south and west is the village boundary of High Cross. The High Road bounds the site to the west and provides the existing access to the site. The road is lined to the east by 2 storey

residential development which backs on to the site, as well as the Grade II listed Puller Memorial Primary School.

- 2.4 Public right of way No Thundridge 045 runs to the northern boundary of the site with residential development and the Grade II listed church of St John the Evangelist and the Rectory beyond this.
- 2.5 The site does not lie within any of the viewing corridors of the 11 Important Views identified at Policy THE4 – Important Views, of the Thundridge Neighbourhood Plan (July 2021).
- 2.6 The entire site is located in Flood Zone 1. There are no Tree Preservation Orders on the Site.
- 2.7 The site is outside of but adjacent to the defined settlement boundary of High Cross and lies within the Rural Area Beyond the Green Belt. The land is not within any local or statutory landscape or heritage designation.

3.0 Planning History

- 3.1 None relevant on the site
- 3.2 The following application at land west of High Road, in High Cross (nearby to the application site) is pending issue of approval subject to completion of the S106 agreement:

3/24/0284/OUT - Outline planning permission for the erection of up to 36 dwellings with all matters reserved except for access.

4.0 Main Policy Issues

- 4.1 The main planning issues of the application relate to the principle of the development with the provision of new housing, including affordable housing, making efficient use of land, economic benefits, acceptability of the proposed location, landscape / visual impact, transport, drainage, noise, heritage and ecology impacts. The relevant policies in the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG), the adopted East Herts District Plan 2018 (DP) and Thundridge neighbourhood Plan, are referenced in the table below.

Main Issue	NPPF Chapter	East Herts District Plan	Thundridge Neighbourhood Plan

Principle of Development	2, 5, 9 and 11	INT1, DPS1, DPS2, GBR2, VILL1, TRA1, ED2	
Affordable Housing and Housing Mix	5	HOU1, HOU7, HOU3	THH1
Visual and Landscape Impact	8	HOU2 DES2 DES3, DES4, HOU2	THH4
Heritage Assets	16	HA1, HA7	THE1
Archaeology		HA3	
Neighbouring Amenity	12	DES4, EQ2	
Transport	9	TRA1, TRA2, TRA3	THFS7
Flooding and Drainage	14	WAT1, WAT3, WAT5	
Sustainability and Climate Change	14	CC1, CC2 and WAT4	THH6
Trees, Ecology and Biodiversity	15	NE2, NE3	THE7
Pollution	9, 15 and 12	EQ1, EQ2, EQ3, EQ4	
Planning Obligations and Infrastructure	4	DPS4 DEL1 DEL2 CFLR1 CFLR3 CFLR7 CFLR9, CFLR10	

4.2 A revised NPPF was recently subject to consultation with the deadline for comments concluding on 10 March 2026. The emerging NPPF is anticipated to be more directive of decision-making in support of both appropriate housing and commercial development and is underpinned by 3 main objectives:

- To ensure national planning policy is accessible and understandable for everyone who uses it
- To establish a comprehensive suite of national policies on general planning matters which will apply across the country
- To make the policy which it contains more 'rules-based' and certain, and so more capable of supporting timely and consistent planning

4.3 While this is noted for information, very limited weight is currently given to it in light of its draft status.

4.4 Other relevant issues and relevant guidance are referred to in the 'Consideration of Issues' section below.

5.0 Equality Act 2010

5.1 Section 149 of the Equality Act (2010) confirms that a Public Sector Equality Duty (PSED) came into force in April 2011 and requires the Council to consider the equality impacts on all protected groups when exercising its functions. In the case of planning, equality considerations are factored into the planning process at various stages. The first stage relates to the adoption of planning policies (national, strategic, and local) and any relevant supplementary guidance. The policies and guidance referred to in this committee report have all been subject to an Equalities Impact Assessment (EqIA), and therefore the planning policy framework is considered to meet the first stage in the process. Officers have duly considered the equalities impacts on protected groups in the context of the development proposals.

6.0 Summary of Consultee Responses

6.1 HCC (Hertfordshire County Council) Highway Authority: Raise no objection subject to the imposition of conditions, highway improvements and 106 infrastructure contributions.

6.2 HCC Infrastructure: Request contributions towards infrastructure provision.

6.3 EHDC (East Herts District Council) Infrastructure: Request contributions towards infrastructure provision.

6.4 Lead Local Flood Authority (LLFA): No objection subject to the imposition of conditions.

6.5 HCC Archaeology: No objection subject to imposition of a condition requiring archaeological evaluation.

6.6 HCC Waste and Recycling: Initially raised a holding objection on the basis that swept access has not been demonstrated – this information was subsequently provided and agreed with HCC Highways – no further objections are raised.

- 6.7 HCC Strategy Housing Officer: Proposal should deliver 40% affordable homes which would be 38 dwellings. 75% (29) of these should be rented and 25% (9) affordable home ownership.
- 6.8 EHDC (East Herts District Council) Conservation and Urban Design Advisor: No objection.
- 6.9 EHDC Environmental Health (Noise and light): No objection to the proposal subject to the imposition of conditions relating to sound insulation, construction and lighting.
- 6.10 EHDC Environmental Health (Land): No objection subject to the imposition of conditions relating to contamination, air quality, EV charging and a CEMP.
- 6.11 EHDC Landscape Officer: Raises no objection subject to the imposition of conditions.
- 6.12 Thames Water: No objection to foul water sewerage. No objection to surface water discharge and recommend that the LLFA be consulted. The LLFA have been consulted and raise no objection subject to the imposition of condition.
- 6.13 NHS Herts and W Essex Integrated Care Board: Request contributions towards healthcare provision.
- 6.14 East of England Ambulance Service: Request a contribution towards impact of the proposal on the ambulance service provision.
- 6.15 Hertfordshire Fire and Rescue: Request a condition for the provision and installation of fire hydrants.
- 6.16 Hertfordshire Minerals and Waste: The proposal would not have the potential to unacceptably sterilise mineral resources. Raise no objection subject to imposition of a condition requiring a site waste management plan to be agreed and implemented.
- 6.17 Active Travel for England: No comment to make as the proposal does not meet its threshold for consideration.
- 6.18 Sport England: No comment to make as the proposal falls outside of their statutory remit.
- 6.19 Environment Agency: No objection subject to imposition of a condition regarding burials.

6.20 All of the above representations have been considered in the drafting of this report.

7.0 Town Council Representations

7.1 Thundridge Parish Council: Object to the proposal on the following grounds:

- The proposal is contrary to the East Herts District Plan and the Thundridge Neighbourhood Plan.
- The proposal would fall outside of the village boundary, encroach on the countryside and have an urbanising impact on the character of the village and designated heritage assets.
- The proposal does not represent sustainable development.
- The application fails to demonstrate how existing flooding for Cambridge Cottages will be eased and how existing off site flood alleviation for North Drive and Canterbury Park will be maintained.
- The proposed benefits are not priorities for the community and therefore not in favour of the proposal. The allotments are not adjacent to the existing ones and the burial ground is not adjacent to the existing one.
- The village is not a sustainable location for 95 new homes.
- The proposal fails to accord with policy VILL2.
- The proposal would result in an unacceptable cumulative increase in the village when considered alongside recent approvals.
- Whether the local school needs more pupils is irrelevant.
- It is unclear how the 'school expansion area' would be used.
- There is visibility between the site and The Rectory. The proposal would fail to conserve the surrounding heritage assets and their setting.
- The lack of 5 year housing land supply is due to a downturn in the housing market.
- There is insufficient local water supply and waste water disposal, and Surface Water Flooding needs to be sufficiently addressed.

7.2 The representation from the Parish Council has been considered in the drafting of this report.

8.0 Summary of Other Representations

8.1 104 responses have been received including 1 from CPRE, 1 from Sawbridge Swifts, 1 from NE Herts Swift Group and 1 from the Butterfly conservation group . 10 of these are in support, and 88 including from CPRE are in objection. 2 are neutral. The issues raised are summarised below:

Support

- The provision of housing is supported provided there is sufficient parking
- Given the lack of supply, more houses are needed
- It is a development with green spaces appropriate to the village
- More residents might prevent the loss of facilities
- Extra school space is positive
- Have been unsuccessful finding a house in the village and so would like increased opportunities for first time buyers and families
- Would give people the opportunity to live in an area that grew up in

Objection

- Submission is not detailed enough
- Housing market will pick up and more houses will be delivered elsewhere
- The site is not identified for housing in the Neighbourhood Plan
- Para 14 of NPPF takes precedence over Local plan
- Conflict with policy for rural area beyond green belt – GBR2
- The proposal is not sustainable development
- Will set precedent for other development
- No benefit to local community
- There has already been too much additional development
- Need to protect the green belt
- The proposal breaches the village boundary
- Countryside encroachment and loss of green/natural space
- Loss of village character
- Not in keeping with character of surrounding built form
- The proposal will impact on views
- Increased traffic will cause congestion and pollution
- Parking pressure
- Not enough services in the village to support increase
- Insufficient infrastructure for increased homes
- Increase in noise
- Flooding and drainage issues
- House prices will be affected
- Increase in crime / anti social behaviour
- Impact on wildlife
- Damage to Rib river
- Loss of agricultural land
- Impact on footpath

- Heritage impact
- Construction impact will be disruptive
- Ecological survey does not consider lepidoptera
- Land has been poorly farmed

Neutral Comments

- Development should include integral swift and bat bricks
- Allotments are a good idea
- Cemetery extension is too small

8.2 All of the above representations have been considered in the preparation of this officer report.

9.0 Consideration of Issues

Principle of Development

Development Strategy

- 9.1 District Plan policy DPS2 seeks to direct residential development to sustainable locations within identified settlements, on allocated sites and on sustainable brownfield sites, with limited development also supported in villages.
- 9.2 The NPPF states that *'the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and supporting infrastructure in a sustainable manner'* and sets out that decisions should apply a presumption in favour of sustainable development but that this does not change the statutory status of the development plan as the starting point for decision-making.
- 9.3 The application site is undeveloped and outside, although adjacent to the settlement boundary of High Cross which is identified as a Group 2 village in the Local Plan. The village and its surrounding area lies within the Thundridge Neighbourhood Plan Area. The site is not identified for development in the Neighbourhood Plan (adopted 2021). The Neighbourhood Plan itself does not contain any policies which allocate land for housing within the NP Area. However, the NP does contain a range of policies which development should seek compliance with.
- 9.4 The location of the site outside the village boundary means that the land is designated as part of the Rural Area Beyond the Green Belt. Local plan policy GBR2 identifies types of development that can be acceptable in the

Rural Area Beyond the Green Belt. The site does not fall within any of these exceptions.

- 9.5 On this basis, the proposed scheme does not comply with the overarching development strategy for the District or represent a form of development normally supported in the Rural Area Beyond the Green Belt, contrary to Local Plan policies DPS2 and GBR2.

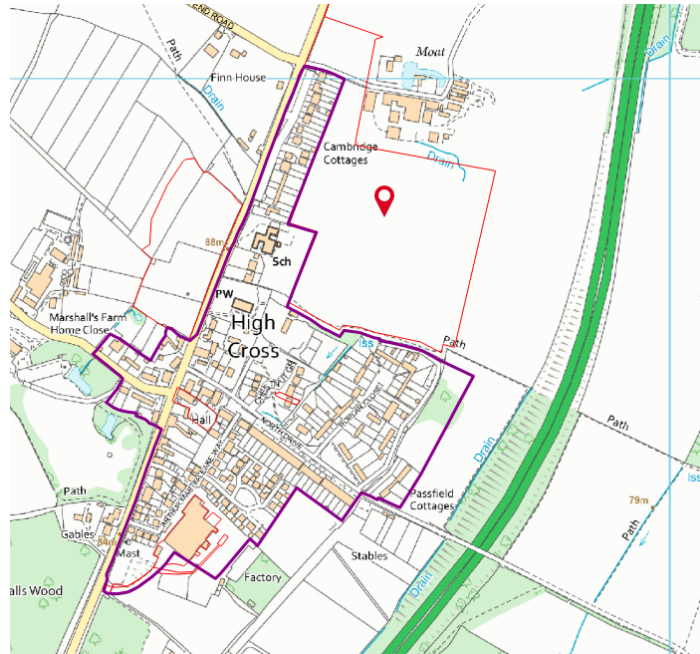
Housing Delivery

- 9.6 Local Plan policy DPS1 outlines that the Council will provide a minimum of 18,458 new homes in the District over the plan period (2011 – 2033). This figure has been increased under the revised standard new methodology set out in the NPPF. Section 5 of the NPPF sets out that the Government maintains its objective to significantly boost the supply of homes.
- 9.7 The Council are unable to provide a 5 year housing land supply (5YHLS). An interim calculation, based on completions up to late February 2025 and a reassessment of the Council's District Plan allocated sites in the housing trajectory, suggests that the housing land supply calculation is currently between 3.4 and 3.7 years. On this basis, the housing supply-based policies in the Local Plan are out of date.
- 9.8 The proposed scheme would deliver up to 95 dwellings and would make a meaningful contribution towards the current 5YHLS deficit. This housing provision is a significant benefit of the scheme, which attracts support from Section 5 of the NPPF and should be assigned significant positive weight in the overall balance.

Access to Services and Facilities

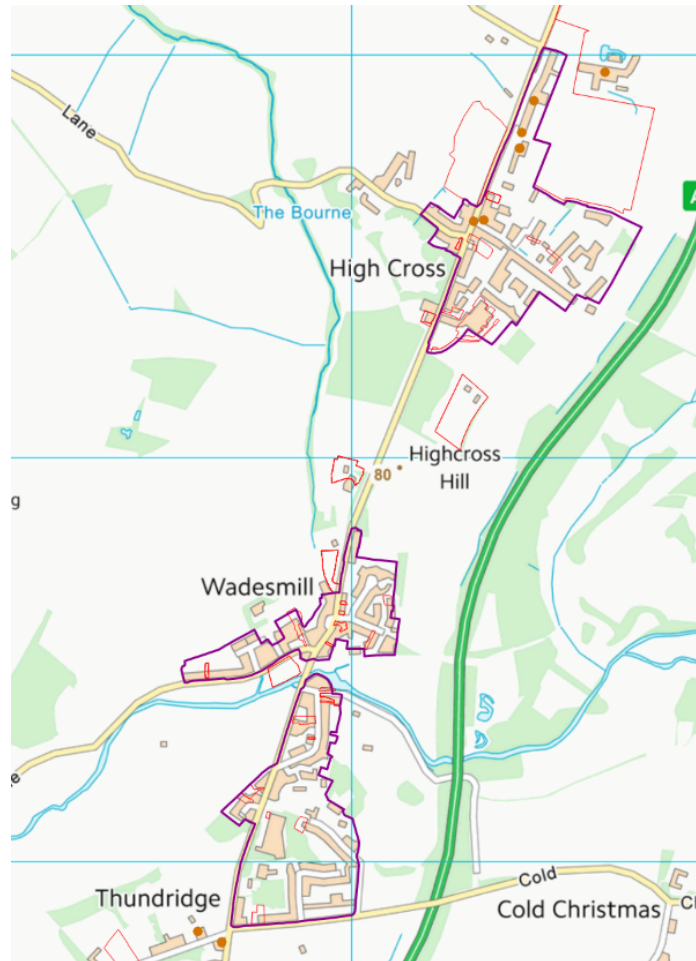
- 9.9 Local Plan policy TRA1 sets out that development proposals should be located primarily in places which enable sustainable journeys to be made to key services and facilities to help aid carbon emission reduction. This policy seeks to ensure that a range of sustainable transport options are available to occupants or users of the development, which may involve the improvement of pedestrian links, cycle paths, passenger transport network and community transport initiatives.
- 9.10 Paragraph 110 of the NPPF outlines that significant developments should be focused on locations, which are, or can be made sustainable.
- 9.11 The site is located adjacent to High Cross which is categorised as a group two village in the Local Plan. Group 2 Villages are generally smaller

villages where limited infill development, together with small-scale employment, leisure, recreation and community facilities will be permitted. The Local Plan identifies that this development should take place within the defined village development boundary. As identified above however, the proposal sits outside of the village boundary and on rural land beyond the green belt. Within High Cross there is a primary school, church, village hall and convenience shopping in the Spar in the service station.



- 9.12 Consideration is given to paragraph 83 of the NPPF which states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.
- 9.13 National Planning Practice Guidance (PPG) on Rural Housing states that *'all settlements can play a role in delivering sustainable development in rural areas'*. The guidance goes on to state that *'blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.'*
- 9.14 With regard to this guidance, approximately 1km from the application site lies the group 2 village of Wadesmill. Approximately 1.3km from the application site, past Wadesmill lies the group 2 village of Thundridge. These are accessible from the application site along the High Road /

Cambridge Road which is lit with pavements on both sides. These provide for another primary school, café, public houses and local businesses.



- 9.15 The proximity of the site to Wadesmill and Thundridge means that there would be reasonable scope for occupants of the development to walk or cycle into these villages in addition to High Cross itself to access services and facilities.
- 9.16 Officers acknowledge that the facilities within Wadesmill and Thundridge are beyond the recommended distances for walkable neighbourhoods (generally accepted as being 800 metres to facilities). However, there would still be some potential for occupiers of the proposed dwellings to access services and facilities given the provision of lighting and pavements on the connecting road. Therefore, although the site is located outside of a village boundary, it would present the opportunity to enhance the vitality of the rural community and the nearby settlements in accordance with Paragraph 83 of the NPPF.
- 9.17 Whilst the access to some services and facilities is noted, officers acknowledge that there is no secondary school in the village, nor is there a large supermarket in the vicinity with the closest being in Ware.

Furthermore, the employment opportunities in the locality are limited and there is no train station in the village. Given this, it is clear that occupiers of the proposed development would have to travel outside the village for essential journeys to access secondary education, shops, employment and rail travel. The nearest settlements that contain such facilities are the towns of Hertford and Ware.

- 9.18 As part of the presumption in favour of sustainable development NPPF paragraph 11 requires consideration to be given to Paragraph 110 and 115.
- 9.19 Paragraph 110 states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Paragraph 115 states that in assessing applications for development, it should be ensured that sustainable transport modes are prioritised and safe and suitable access to the site can be achieved for all users.
- 9.20 The nearest bus stops are located approximately 100 meters from the entrance to the site on High Road. An hourly bus service 331 runs along High Road, facilitating connections from High Cross to Ware and Hertford. The bus route has further stops along High Road including approximately 150m from the public footpath which will be improved as a result of the proposal and which links to the southern end of the site. As such, there would be some scope for occupiers of the proposed dwellings to travel to larger settlements via public transport.
- 9.21 A number of measures to make the site more accessible have been agreed, as detailed in the transport section below.
- 9.22 These include extending the existing 30mph speed limit on Ermine Street upgrading the existing footway along High Road on the eastern and western sides, upgrading the bus stops on High Road, to include raised Kassel kerbing which will accommodate wheelchair users, parents/guardians with buggies, etc as they board and alight a bus, improvement works to the public right of way Footpath Thundridge 045 from the A10 to High Road and an alternative access arrangement at the High Road service road junction to give passing pedestrians priority.
- 9.23 The improvements will provide safe and accessible pedestrian access to the village centre and would also provide a continuous cycleway route (which accords with technical standards) from the site to the centre of the village. In this way, it would be more realistic for residents and visitors of the site to travel by sustainable modes in an immediate context, for

example to access the Jet garage /convenience store, the village hall, and the closest bus stops.

- 9.24 106 contributions are also to be secured for a Bus Service Contribution and a Sustainable & Accessible Transport Contribution to go towards East Herts Local Cycling and Walking Infrastructure Plan development and delivery in the vicinity of the development.
- 9.25 On the basis of the above improvements and contributions which would be secured through condition and the 106 agreement, the Highways Authority have concluded that they raise no objection to the proposal on the basis of the sustainable/accessible travel credentials of the site. Taking account of NPPF paragraph 110 and 115, the location can be made more sustainable.
- 9.26 The availability of public transport in the area, and the public transport improvements are noted. However, officers do not consider the bus services running through the area to be of such frequency or convenience for this to be the main mode of transport to nearby towns utilised by occupiers of the proposed development. There would be some reliance on the private vehicle to undertake essential journeys. This means that the proposals would result in the creation of some unsustainable journeys and this would conflict with part of Local Plan Policy TRA1 and Section 9 of the NPPF.
- 9.27 Taking the above into account, limited - moderate negative weight is assigned to the access to services and facilities via sustainable modes of transport. This will weigh against the proposed development in the balance. Conversely, the proposed additional housing would generate increased residential population in High Cross which would help sustain existing businesses and support some local non-car bound journeys.

Loss of Agricultural Land

- 9.28 Policy ED2 of the District Plan relates to the rural economy and outlines that where proposals result in the loss of an agricultural or employment use in a rural area, evidence will be required to demonstrate that the current agricultural or employment use is no longer needed or viable.
- 9.29 NPPF Paragraph 187(b) seeks to recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – *‘including the economic and other benefits of the best and most versatile agricultural land [BMV], and of trees and woodland’*.

- 9.30 Footnote 65 of NPPF states that '*Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality*'.
- 9.31 The application is accompanied by an agricultural land classification report to establish the agricultural value of the land. The survey was carried out in October 2023 under a format that follows the 1988 MAFF guidelines for assessing Agricultural Land Classification and assessing limitations.
- 9.32 The survey concludes that the land is mainly heavy textured clay loam with poorly draining clay/silty clay subsoils. Due to these properties coupled with climactic data, the soil wetness class limits the quality of the land to Agricultural Grade 3b (100%).
- 9.33 The NPPF defines best and most versatile agricultural land as that in grades 1, 2 and 3a of the Agricultural Land Classification. Therefore, the land is not classified as best and most versatile agricultural land and its use for agricultural purposes is limited.
- 9.34 Taking account of the above, it is concluded that the proposal would not have a significant impact on agricultural productivity and no objection is raised to the proposal on this basis.

Affordable Housing and Housing Mix

Overall Housing Mix

- 9.35 Local Plan policy HOU1 and Neighbourhood Plan THH1 outline that housing developments should deliver an appropriate mix of housing tenures, types and sizes in order to create mixed and balanced communities, taking into account the latest Strategic Housing Market Assessment (SHMA) and any up-to-date evidence. Policy HOU7 requires new homes to be readily accessible and adaptable to meet the changing needs of occupants. This policy expects residential development to meet Building Regulations Requirement M4(2) – Accessible and Adaptable Dwellings. Major developments should also provide a proportion of dwellings that meet Building Regulations Requirement M4(3) – Wheelchair User Dwellings.
- 9.36 This application proposes the delivery of up to 95 dwellings. However, the scheme is in outline form, with reserved matters to follow, and therefore the final housing mix has not been set. This matter will be assessed at reserved matters stage when further detail is submitted.

- 9.37 In order to ensure that the future housing mix does address local housing need, it is deemed necessary to include a condition requiring future reserved matters submissions to have regard to the SHMA housing requirements. Subject to this condition, officers consider that the scheme would at this stage broadly comply with DP Policy HOU1.
- 9.38 No details have been provided to demonstrate that the proposed scheme would deliver dwellings that meet Building Regulations Requirement M4(2) – Accessible and Adaptable Dwellings. These details would be finalised at reserved matters stage. Nonetheless, officers do not consider there to be any particular issues on this site that would prevent the provision of M4(2) and M4(3) dwellings - wheelchair user dwellings - through the development. In light of this, it is deemed appropriate to include conditions as part of this recommendation that require 85% of the proposed units to comply with M4(2) standards and the remaining 15% of the dwellings to be provided as M4(3) dwellings. This condition would ensure that the proposed development would comply with Local Plan policy HOU7.

Affordable Housing

- 9.39 Local Plan policy HOU3 seeks to secure 40% affordable housing provision on developments of 15 or more dwellings. The affordable housing provision should incorporate a mix of tenures, having regard to the Council's most up-to-date evidence on housing need. Affordable units should be integrated into the open market housing through appropriate design methods (e.g. tenure blind, pepper potting).
- 9.40 The applicant has confirmed that the development would deliver 40% affordable housing (38 units) which would be secured through a S106 Legal Agreement.
- 9.41 The outline form of this application means that the proposed dwelling types provided within the overall affordable housing mix have not yet been provided. This would be finalised at the reserved matters stage.
- 9.42 EHDC Housing Officer has confirmed that although the council requires a tenure mix of 84% rented/ 16% other intermediate tenure, they are mindful of the previous NPPF requirements which required 10% of the housing on all developments to be for affordable home ownership. In these circumstances, a 75% rented and 25% affordable home ownership split has been considered acceptable for major housing developments in the District. Noting that the 10% affordable home ownership requirement has fallen away in the current NPPF, it is considered that the proposed

75%/25% split is acceptable. This equates to 29 dwellings for affordable rent and 9 dwellings for shared ownership.

- 9.43 A suitable spread of affordable housing units across the site and a tenure blind design for the affordable units would be required at reserved matters stage, in order to meet the requirements of policy HOU3.
- 9.44 This provision of 38 affordable housing units is a benefit that is assigned significant positive weight.

Visual and Landscape Impact

- 9.45 NPPF Paragraph 187 requires that planning policies and decisions should contribute to and enhance the natural and local environment by (inter alia) protecting and enhancing valued landscapes in a manner commensurate with their statutory status or identified quality in the development plan, and recognising the intrinsic character and beauty of the countryside. The site is not located within a valued or protected landscape policy under the Development Plan or the NPPF, thereby para 187(a) does not apply. In this instance, the proposals must be considered as to whether they 'recognise the intrinsic beauty of the countryside (para 187 (b)).
- 9.46 Local Plan policy DES2 states that development proposals must demonstrate how they conserve, enhance or strengthen the character and distinctive features of the district's landscape. Policy DES3 requires proposals to demonstrate how they will retain, protect and enhance existing landscape features which are of amenity and/or biodiversity value. Where losses are unavoidable and justified by other material considerations, compensatory planting or habitat creation will be sought either within or outside the development site.
- 9.47 Local Plan policy DES4 outlines that developments must be of a high standard of design and layout to reflect and promote local distinctiveness. Policy HOU2 requires housing developments to make efficient use of land and for proposals to demonstrate how density has been informed by the character of the local area.
- 9.48 Thundridge Neighbourhood Plan seeks to preserve and enhance the character of the built environment in the villages and recognise the significance of heritage assets including landscapes, conservation areas, listed buildings and other historic features and areas, maintain important views, green corridors and local wildlife areas and provide extra protection for the most special green spaces for future generations to enjoy and ensure that new development is built to a high standard of design which reinforces local distinctiveness and character. Policy THE4 within

the Neighbourhood Plan relates to important views, based upon 11 identified views within the plan area. The site is not present within any of these important views.

- 9.49 The proposal is for outline consent, with all matters (except access) reserved. On this basis, scale, layout, appearance and landscaping fall to be determined at a later stage when they are submitted as part of a reserved matters application.

Indictive design

- 9.50 The application is accompanied by parameter plans that provide the basis for the development of the site. These show building heights and density, access and movement and land use and landscape. An outline design code and illustrative concept masterplan have also been submitted which, while not to be approved at this stage, provide further guidelines about how the site can be developed.
- 9.51 The indicative density shown on the parameter plan is greater than within the wider surrounding area (with the density to the west of the site on the High Road being 22.5dph and around Poplar Close to the South being 17.3dph). To achieve 95 dwellings on site, the density will need to average 27dph.
- 9.52 At paragraph 129, the NPPF states that *'Planning policies and decisions should support development that makes efficient use of land'*. Account should be taken of:
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
 - b) local market conditions and viability;*
 - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
 - d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
 - e) the importance of securing well-designed, attractive and healthy places*
- 9.53 It further seeks to *'ensure that land is used efficiently while also creating beautiful and sustainable places'*.
- 9.54 NPPF paragraph 130 states that *'Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially*

important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.'

- 9.55 Given the lack of 5 year housing land supply and the subsequent need for housing, the adjacency of the site to the village boundary and the assessment relating to its accessibility and access to services as detailed above, the proposed improvements to promote sustainable travel modes the location of the site adjacent to the A10 along with the lack of designation on the land, significant weight is afforded to this NPPF guidance subject to the visual and landscape impact as will be assessed below. If visual and landscape impact is not concluded to be significantly harmful, then in line with NPPF guidance, the proposed density ranges which set slightly higher upper levels than the surrounding context must be concluded to be acceptable (in principle).
- 9.56 The parameter plans indicate the density ranges and building heights on site, and these are acceptable subject to the further evolution of layout, scale and design at Reserved Matters Stage. The outer/peripheral density range of 20-30 dwellings per hectare is considered to be closer to the typical housing density in High Cross, although further consideration will need to be given to the NPPF requirement to make efficient use of land, when preparing detailed designs at the reserved matters stage.
- 9.57 The indicative layout shows a more inward facing development than would ordinarily be preferred on a site that is bound on 3 sides by existing development. However, regard is had to the constraints of the site and the rationale behind the layout shown.
- 9.58 The green buffers to the north of the site provide a green corridor for the access which satisfactorily mitigates against its landscape impact. These also provide a separation between the proposed development and the heritage assets to the north, thereby minimising the encroachment of built form within their setting and subsequent harm.
- 9.59 The buffers to the west provide relief to the adjacent dwellings along High Road. The allotments and school expansion area, like the cemetery expansion to the southern boundary are located appropriately given their use. There is a topographical and technical preference for SUDs provision to the North.
- 9.60 It is noted that the access and movement plan provides details of pedestrian connectors to the Public Right of Way. These have formed part of the discussion with the Highways Authority and would provide for path connections to development to the South. For the purposes of an outline

application, the plans provide acceptable parameters to build upon at reserved matters stage.

Landscape impact

- 9.61 The site is located within Area 73B 'High cross plateau' Landscape Character Area (LCA) of the East Herts District Landscape Character Assessment (2007). Key characteristics of the LCA include its undulating arable upland, filtered views out from the A10, views filtered by hedgerow vegetation, isolated blocks of woodland, some large, east of the A10. Guidelines include the creation and improvement of habitat links to reverse habitat fragmentation such as hedges and small woodlands.
- 9.62 The site itself largely comprises an open arable field located on the eastern edge of the village although the northern part of it also contains an access track leading to a historic farmstead and a small area of vegetated waste ground. The site is generally devoid of internal features, although its western part is crossed by low voltage power lines supported by timber poles and a field tree is located near to the area of scrubby waste ground on the northern boundary.
- 9.63 The site is generally level and the majority of it is not publicly accessible, although Public Footpath Thundridge 045 runs parallel and adjacent to the southern boundary. The northern boundary of the site is undefined, crossing largely open arable land and containing the access track.
- 9.64 The eastern boundary of the site is similarly undefined, crossing open arable land and comprises a mature hedgerow with hedgerow trees.
- 9.65 The western boundary adjoins playing fields associated with the primary school at High Cross. The central part of this boundary is formed by rear garden boundaries associated with the existing properties along High Road. The northernmost part of this boundary comprises the grassed roadside verge of High Road.
- 9.66 To reduce impacts on landscape character, the proposal demonstrates that the design of the development can feasibly locate SuDS features and structural planting in an arrangement that limits visual impacts on the surrounding landscape. In addition, consideration of views through to important landmarks such as the church tower are taken into account.
- 9.67 Shown on the indicative plan and of benefit is the linking of new planting and woodland to existing hedgerows and tree groups which follows green infrastructure principles. A corridor is proposed around the periphery of the site which links to the existing public footpath network

- 9.68 The application is accompanied by a Landscape and Visual Impact Assessment (LVIA). This considers the worst-case scenario impact and judges the worst affected visual receptor within the receptor group.
- 9.69 **Arable Land** - In terms of impact upon the existing arable land, the development design includes a significant proportion of green infrastructure, the majority of which will comprise grassland and structural planting. This presents the opportunity to increase the biodiversity value of the site through species-rich grassland creation and the use of a range of native tree and shrub species. These measures are considered to be positive change to the landscape. The impact would be an adverse impact of minor significance.
- 9.70 **Urbanising influence from adjacent village and dual carriageway** - The introduction of additional residential development adjacent to the village edge would be a detracting factor in the landscape. However, this is a parcel of land contained by the dual carriageway and the existing dwellings, along with the light industrial activity at Sutes Farm which create a strong precedent for human activity. The indicative proposed green infrastructure would integrate the development into its landscape setting by creating new treed areas and extending existing habitat areas. The indicative building parameters have also considered this by profiling the development to set low density areas on the outer edges. The impact would be an adverse impact of minor significance.
- 9.71 **Trees and woodland within wider setting** - These would not be impacted by the proposal. The indicative green infrastructure proposals for the scheme include the creation of areas of new structural planting of native trees and shrubs around the perimeter of the development area, and in particular in the area to the north of the access track. This would be beneficial to the landscape. The impact would be a beneficial impact of minor – moderate significance.
- 9.72 **Overall landscape character of the site** – this is of low sensitivity. There will be character change as a result of the development. However, the site is directly adjacent to the existing village and in a parcel of land separated from the wider landscape by the A10 dual carriageway. The indicative design of the site shows the restriction of built elements to its centre, the setting of the access road and the public footpath within green corridors, and the preservation of views to the parish church. The impact would be an adverse impact of minor significance.
- 9.73 **Overall setting of the site** - The proposed development is anticipated to increase the urbanising effect of the existing village upon its setting

through an increase in the overall settlement mass, although the built area will not extend any further east and north than the current settlement. The indicative plans to provide a belt of green infrastructure around the outer edge of the development is anticipated to improve the overall relationship between the village and its setting, by introducing trees and shrubs that will filter inward views. The proposed additional trees and woodland will reinforce a key characteristic of the High Cross Plateau, and an area of arable land will be maintained between the development edge and A10 dual carriageway corridor. The impact would be an adverse impact of minor significance.

- 9.74 The overall visual impact is concluded to be of minor-moderate significance.

Visual impact

- 9.75 **Users of Public Footpath Thundridge 045** pass through the southern part of the site and therefore experience clear views across it, which encompass the existing village edge. When travelling westwards along this route east of the site, they will experience views of it above the managed hedgerow that lines the footpath. The proposed development will introduce additional dwellings into the outlook from the public footpath, but the indicative plan sets this route within a corridor of public open space, with dwellings set back approximately 30 metres from the footpath. A new cemetery extension will also separate the footpath from dwellings at its western end. The impact is an adverse impact of minor – moderate significance.
- 9.76 **The occupants of the private dwellings on High Road** currently experience views across the site from the first-floor windows on the rear of their properties. The proposed development will introduce new residential dwellings into this view, although they will be set back behind a new hedgerow and allotments, with a likely separation of approximately 50 metres between the existing and new dwellings. It is therefore likely that once established, the intervening green infrastructure will heavily filter distant views of the new dwellings. The impact is an adverse impact of minor – moderate significance.
- 9.77 **Users of Public Footpath Thundridge 056** currently experience heavily filtered views of the site via existing dwellings and woodland. The indicative inclusion of a belt of green infrastructure on the eastern edge of the scheme means that the proposed dwellings will be obscured by the existing woodland and dwellings for much of this route. The structural planting on the site's eastern boundary is also likely to further obscure

views towards the development as it matures. The impact is an adverse impact of minor significance.

- 9.78 **Users of Public Byway Thundridge 050** currently experience distant views of the existing village edge, which are filtered by the vegetation on the bunds flanking the A10 dual carriageway, to the extent that only the rooftops of the existing dwellings on High Road are visible. The proposed development is anticipated to introduce further rooftops into this view, in the foreground of the existing dwellings. The belt of structural tree and shrub planting on the eastern edge of the development will further filter these views as it matures. Although the degree of change would be low, this is a high sensitivity receptor and therefore the impact is an adverse impact of moderate significance.
- 9.79 **Users of Public Bridleway Thundridge 048** currently experience heavily filtered views of the northern part of the site via a small block of mature woodland, with the southern part currently obscured by the existing dwellings on North Drive. The retention of the built elements of the proposed development behind a belt of perimeter green infrastructure is such that clear views of the proposed dwellings are unlikely from this bridleway, and most will be entirely obscured by the intervening properties on North Drive. The impact is an adverse impact of minor significance.
- 9.80 **Users of Public Bridleway Thundridge 043** currently experience distant views towards High Cross, with the majority of the village obscured by the existing mature woodland at Sutes Wood. It is likely that the proposed development would be fully obscured by the woodland, but possible that the uppermost parts of rooftops could be distantly visible above the trees, seen in context with the existing village. If visible, the proposed development would be barely discernible from the village at this distance and in this context, and therefore the magnitude of change upon this receptor is judged to be Negligible. Because this is a high sensitivity receptor, the impact is an adverse impact of minor – moderate significance.
- 9.81 **Users of Public Bridleway Standon 089** currently experience distant views towards the village across rolling countryside, with the traffic on the A10 dual carriageway in the foreground. Views towards the village are filtered by scattered mature trees. The proposed development has the potential for the uppermost parts of its rooftops to be visible in context with the existing village. The impact is an adverse impact of minor significance.
- 9.82 **Users of Marshall's Lane** currently experience distant views of the village edge over rolling countryside, with the site largely obscured by the existing dwellings on High Road. The proposed development is anticipated to be

mostly obscured by the existing dwellings, although it is possible that rooftops may be visible above these. The impact is an adverse impact of minor significance.

- 9.83 The overall visual impact is concluded to be of minor-moderate significance.
- 9.84 The Councils Landscape consultee has advised that they do not disagree with the judgements made within the LVIA. Where their judgements may differ, these are not substantial. It is concluded that there are no major significant adverse landscape or visual impacts and therefore the development proposals are acceptable in terms of landscape and visual impact.
- 9.85 Subject to accordance with the indicative plans, and further details of landscape, layout and scale which would be managed at reserved matters submission stage, the landscape impact of the proposal would be minor - moderately adverse. Notwithstanding the resulting limited landscape impacts and absence of a significant harmful impact, the scheme would still fail to conserve, enhance or strengthen the character and distinctive features of the district's landscape which is contrary to Local Plan policy DES2. Given that the adverse landscape and visual impact would not be classified as significant, officers consider it is appropriate to assign (at worst) a moderate negative weight to this harm.
- 9.86 It is important to note that the site is not a valued landscape, and the harmful impacts are limited to localised views and landscape character. In this case, it is considered the proposals have been set out to recognise the intrinsic beauty of the area in accordance with para 187 (b) of the NPPF. It would, therefore, not be appropriate or justified to elevate the level of landscape harm further for the reasons set out in the LVIA and as summarised in this report.

Heritage Impact

- 9.87 Section 66 and 72 of the Listed Buildings and Conservation Areas Act 1990 require that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; and to the desirability of preserving or enhancing the character or appearance of a conservation area. This is reiterated in the policies in Chapter 21 of the Local Plan and Neighbourhood Plan policy THE1.

- 9.88 Paragraph 208 of the NPPF requires Local planning authorities to *'identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.'*
- 9.89 Paragraph 207 of the NPPF requires applicants to *'describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.'*
- 9.90 In accordance with this, a Heritage Assessment has been submitted with the application. This considers the nearby heritage assets, the historic development of them and their significance and the impact of the proposal on them.
- 9.91 There are no heritage assets on the application site itself. A number of heritage assets are located around the site. To the north of the application site is Sutes Farm, which includes the Grade II* C14th Farmhouse, the Grade II late-C17th Barn at Sutes Farm. To the west is the Grade II listed-C19th Puller Memorial School. To the south-west is the GII mid-C19th Church of St John, and the GII mid-C19th Rectory.
- 9.92 The setting of these listed buildings is the key heritage consideration. In the case of the Grade II listed Puller Memorial School the land does not appear to have any historic association with the listed building, although its openness is a reminder of its history as a village school. That being said there is a large modern extension between the school and the site which minimises visual relationship and in any case, the indicative layout shows a landscape buffer on the site adjacent to the heritage asset. Therefore, in light of the layout having this buffer and the limited contribution the land has to the significance of the heritage asset, it is considered that there would be no harm to its setting or significance.
- 9.93 In the case of the Church, whilst the application site forms part of the wider setting, similarly to the School serving as a reminder of its history as a village Church, its significance in terms of its setting is primarily derived from its Churchyard, although wider views of the tower also contribute to its significance. Provided the layout and scale are appropriate, which would be dealt with at reserved matters stage, and given the proposed height ranges expressed in the parameter plans are sensitively

considered, key views of the tower would be unaffected by the development.

- 9.94 In the case of the Churchyard, again the indicative layout shows a generous buffer on the corner of the site nearest to the Churchyard, which includes a cemetery extension, which would protect it from any impact. On this basis, there would be no harm to the significance of the Church. In the case of the Rectory, its significance in terms of setting is primarily its relationship with the Church. This would be unaltered and again a buffer is shown to north. Therefore, it is concluded that there would be no harm to its setting or significance.
- 9.95 In the case of the farm site, the land appears to have historically been part of the farm and therefore it makes some contribution to the historic interest of the listed buildings (farmhouse and barn) and it also forms part of their wider settings. That being said, to the south of the listed buildings there have been a number of more recent changes within their immediate setting with the construction of mostly c1960s farm sheds/buildings, which limit the visual relationship of the land with these buildings; additionally in the case of the farmhouse, the barn sits between it and the application site.
- 9.96 The indicative layout also shows a green buffer adjacent to the farm site, which would reduce any visual impact from the proposed development. Further mitigation, for example in terms of landscaping and layout, could be provided at reserved matters stage. Nonetheless there would be a low level of less than substantial harm to the setting of these listed buildings on the basis of the loss of the land which has historic associations to the heritage assets.
- 9.97 Paragraph 215 of the NNPF requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 9.98 Consideration is given to the public benefits of the scheme as identified throughout this report, including the provision of housing set against the Councils lack of 5 year supply, the provision of affordable housing and the sustainable travel contributions, bus contributions and transport improvements, and other community enhancements including the provision of allotments, burial space and additional school area to allow a potential future expansion.
- 9.99 The harm to the significance of the heritage assets would be to their setting on the basis of the loss of land which has historic associations and at the

lower end of less than substantial. This would be considered alongside the indicative plans which show that development can be sited a reasonable distance from the heritage assets with intervening green buffers.

- 9.100 In light of the above, it is concluded that the public benefits of the proposal would outweigh the less than substantial harm. Regardless, this will still be considered in the final planning balance.

Archaeology

- 9.101 District Plan policy HA3 seeks applicants to engage with the Hertfordshire Historic Environment Unit where a proposal has the potential to impact upon the archaeological value of a site.
- 9.102 The proposed development site lies to the west and south of an Area of Archaeological Significance (no 45), as identified in the Local Plan. This denotes the high status medieval moated manorial site at Sutes Farm [Historic Environment Record no 2223], and its surviving 14th century aisled hall farmhouse [HER 1993, Grade II* listed building]. These will not be subject to direct impacts from the proposed development.
- 9.103 The archaeological desk-based assessment submitted with the application (Masefield, R., *Land East of High Road, High Cross* (RPS Group 2023) concludes that the study site can be considered likely to have a low archaeological potential for the earlier prehistoric periods and the Anglo-Saxon period, with a moderate archaeological potential for the Iron Age, Roman, and Medieval periods.
- 9.104 In 2002, archaeological evaluation and excavations associated with the construction of the A10 Wadesmill bypass c.200m to the east of the site identified two phases of settlement and enclosure evidence [HER 11557, 11579, 11580, 11582, 11941] beginning in the late Bronze Age to early Iron Age with a second phase in the 1st century AD (late Iron Age to early Roman period). Since the investigations were confined to the corridor of the new road, the extent of these settlements is unknown and it is possible they could extend to the west into the proposed development site. Part of the site (adjacent to the proposed road access from the main road into the site) is directly adjacent to the line of Roman Ermine Street [HER 9271], and it is possible that evidence of the flanking ditches, or surfacing, or other road associated features could be present. Although the main development area is at greater distance from the Roman road it is also possible that evidence of roadside occupation could be present within it.
- 9.105 The site is of substantial size (c.7.75ha), and historic mapping suggests that it has been in very long term agricultural use. Although ploughing may

have caused some truncation, it is likely to have had a minor negative archaeological impact (as may the introduction of field drains). Any archaeological remains present may therefore be well preserved.

- 9.106 On this basis, the County Archaeologist advised that the proposed development site should be regarded as having the potential to contain heritage assets with archaeological interest. It was therefore advised that an archaeological field evaluation of the proposed development site should be undertaken, comprising geophysical survey and a programme of intrusive archaeological trial trenching, in order to provide sufficient information about the significance of heritage assets that may be affected by the development, and that these works should be carried out prior to the determination of the application.
- 9.107 A geophysical survey of the site was carried out in April 2024, and the results did not conclusively suggest the presence of significant below ground archaeological remains at the site.
- 9.108 The County archaeologist has therefore advised that an archaeological trial trench evaluation of the site, and any subsequent works that may be necessary, can be secured by condition.
- 9.109 Subject to the imposition of the recommended condition, the archaeological impact is acceptable and in accordance with Local Plan policy HA3.

Neighbouring Amenity

- 9.110 Local Plan policy DES4 notes that development should avoid significant detrimental impacts on the amenity of occupiers of neighbouring properties and land and ensure that their environments are not harmed by noise and disturbance, or by inadequate daylight, privacy or overshadowing. Policy EQ2 outlines that proposals should be designed and operated in a way that minimises the direct and cumulative impact of noise on the surrounding environment.
- 9.111 The outline form of this application means that the layout, appearance and scale of the proposed development have not been set. As such, it is not possible at this stage to fully assess potential impacts on neighbouring properties. This matter would be revisited at reserved matters stage.
- 9.112 The illustrative concept masterplan which accompanies the application demonstrates that no development would be sited in such close proximity to a neighbouring occupier such that it would have a detrimental impact in terms of loss of privacy, daylight/sunlight, or be overbearing.

9.113 It is concluded that the proposed development can be accommodated on the site without resulting in material adverse impacts on neighbouring properties and local residents. As such, the proposed scheme would not be contrary to Local Plan policies DES4 or EQ2.

Transport

9.114 District Plan Policy TRA2 states that *'development proposals should ensure that safe and suitable access can be achieved for all users. Site layouts, access proposals and any measures designed to mitigate trip generation produced by the development should: (a) Be acceptable in highway safety terms; (b) Not result in any severe residual cumulative impact; and (c) Not have a significant detrimental effect on the character of the local environment'*.

9.115 Neighbourhood Plan policy THFS7 requires all proposals to provide a traffic assessment, and for contributions to be made to achieve sustainable transport improvements.

9.116 The Highway Authority initially recommended refusal of the proposal as the development did not put the needs of pedestrians, cyclists and public transport users first, and would be more car dependent. There was also insufficient information in a number of areas which they needed clarification on.

9.117 Since that time, the applicant has been in extensive discussions with the Highway Authority to try and resolve the issues. The following measures are now proposed:

- Extending the existing 30mph speed limit on Ermine Street approximately 75 metres north, with associated gateway features. This will help to slow traffic on entry to High Cross, helping to ensure vehicles entering and exiting the new site access do so at more appropriate speeds.

- The existing site access (and initial stretch of existing internal access road) is proposed to become a 3 metre wide footpath/cyclepath connection into the site. It will not double up as an emergency vehicle access given the new main site access will suffice for this purpose. In addition, the applicant has clarified this internal route will be suitably lit, and this element has been secured by condition.

- Upgrade of the existing footway along High Road on the eastern side, to provide a shared footway/cycleway of 3 metres width. This will also narrow

the carriageway of High Road slightly, which will help to control vehicle speeds through the village.

- Improvements to the High Road service road to better accommodate pedestrians and cyclists, to include a tightened access onto High Road, parking restrictions, and a continuous footway over 'The Bungalow' access. The changes here have been tracked by the applicant to ensure all vehicles (including refuse vehicles) can still safely and suitably enter and exit the service road.

- Upgraded bus stops on High Road, to include raised Kassel kerbing which will accommodate wheelchair users, parents/guardians with buggies, etc as they board and alight a bus.

- A new carriageway build-out and improvements to existing carriageway build-outs on High Road, which will help to control vehicle speeds through the village and overall create an enhanced traffic calmed environment.

- A widened footway on the western side of High Road to 2 metres width.

- Improvement works to public right of way Footpath Thundridge 045 from the A10 to High Road. This will consist of resurfacing as a sealed path along the narrow alleyway by the church, and crushed concrete topping and fines beyond this to provide a 'semi-rural' look and feel.

9.118 All these above measures have been subject to a stage 1 Road Safety Audit (RSA1) and the applicant has provided designers responses and updated drawings which have been reviewed by the Highway Authority's own Safety team. They have not identified any fundamental issues with the proposals.

9.119 The measures help in part to overcome the concerns that the Highway Authority previously raised with respect to sustainable, accessible and active travel.

9.120 The right of way improvements will provide an option for some residents of the site to travel on foot to the village centre, but due to width constraints it cannot accommodate all such users (for example wheelchair users). However, the new shared footway/cycleway along High Road will provide a continuous route for all pedestrians from the site to the centre of the village, which meets technical standards in terms of width etc.

9.121 The proposal would also provide a continuous cycleway route (which accords with technical standards) from the site to the centre of the village. In this way, it would be more realistic for residents and visitors of the site

to travel by sustainable modes in an immediate context, for example to access the Jet garage /convenience store, the village hall, and the closest bus stops.

- 9.122 In addition, the applicant has secured an agreement with Puller Memorial C of E School to allow direct pedestrian access from their site to the rear of the school for pupils who reside in the new development. This will be secured by way of the s106 Agreement.
- 9.123 In terms of the new vehicle access to the site, this remains a proposed shared use with the existing farm, but the internal access road designs have been amended from the original submission to better define the two uses. The applicant provided further details about the existing farm use in terms of vehicle movements. Survey data from November 2023 shows 17 two-way vehicle movements as existing between 7am and 10am, of which 4 were HGVs (2 in and 2 out). In the late afternoon / early evening period between 4pm and 7pm there were 12 two-way vehicle movements of which there were no HGV movements.
- 9.124 In terms of the impact of the proposal, a TRICS analysis predicts 50 two-way movements in the morning peak hour (8-9am) and 48 in the evening peak hour (5-6pm) with a total of 446 two-way movements across the day. The Highways Authority have advised that this is not considered 'severe' in the context of the NPPF 2024, and the existing farm vehicle trips are not of a level or routine type to cause ongoing concern.
- 9.125 The vehicle access is shown to incorporate a raised table upon entry, which will help manage entry and exit speeds. The access has been tracked to ensure all vehicle types expected to enter and exit it can do so appropriately. The footway along High Road / Ermine Street across the new site access will be widened and rerouted slightly into the site to minimise crossing distance for passing pedestrians. This will require a small section of the applicant's land to be adopted by the Highway Authority.
- 9.126 The original Travel Plan was found to be substandard by HCC Travel Plan team. The applicant has revised this, and whilst some further work is still needed on it, it is now considered suitable for this planning stage with an expanded version to be required as part of the 106 agreement.
- 9.127 Travel Vouchers of £100 per house and £50 per flat, index linked by RPI from May 2014, are to be included within the Welcome Pack for each new resident.

9.128 Section 106 contributions are considered to be justified for the development, as follows:

- A Bus Service Contribution of £250,000 index linked by CPI from September 2025 to extend and/or re-route existing bus services and/or the provision of new bus services. This figure has been calculated by HCC Passenger Transport Unit, and this money may be pooled with money from other developments in the vicinity to deliver said bus improvements.

- A Sustainable & Accessible Transport Contribution of £236,795 index linked by SPONS from March 2024, to go towards East Herts Local Cycling and Walking Infrastructure Plan development and delivery in the vicinity of the development. This is considered necessary to ensure the development is sustainable in the longer term and helps accommodate sustainable travel trips further afield.

9.129 Based on the above, the applicant has overcome the Highway Authority original concerns about highway safety and the sustainable/accessible travel credentials of the site and they conclude that there is no longer a justified reason to refuse the development on highway grounds.

9.130 There is the potential for disruption during the construction phase of the development. While this would not represent a reason for refusing the application, the impact could be managed through the imposition of a condition requiring submission of a Construction Traffic Management Plan (CTMP).

9.131 Subject to the imposition of conditions and S106 contributions, the proposals would provide for safe access and not have a severe detrimental impact on the local highway. The proposal therefore accords with National planning policy and Local Plan policy TRA2.

Flooding and Drainage

9.132 Local Plan policy WAT1 addresses the management of flood risk. Policy WAT3 relates to the quality of water, and WAT5 requires appropriate sustainable water management and Sustainable Drainage Systems to be implemented.

9.133 The application site is located within Flood Zone 1 and sits within a groundwater source protection zone.

9.134 Surface water flood maps show that whilst the majority of the site is located in the very low flood risk area, there are localised areas of surface water flooding within the west and south of the site. These areas of medium and

low risk are shown with a corresponding flood depth as below 300mm and are therefore not considered to pose a significant or unmanageable risk to the development. The site access is not shown to be affected by flooding.

- 9.135 The development of the site and the introduction of a formal surface water management strategy provides an opportunity to help reduce the predicted pooling along the southern boundary of the site with a view to reducing flows through the land to the south.
- 9.136 Discussion has taken place during the application determination between the Local Lead Flood Authority (LLFA) and the applicant.
- 9.137 It has been clarified that finished floor levels of the development would be set 150 mm above external ground levels unless dictated otherwise by accessibility requirements.
- 9.138 No works which would obstruct the flow of receiving watercourses are proposed. The outfall to the channel would either be flush or recessed, or a short length of new cut open channel. If consent is required it would be sought at the appropriate stage (outside of the planning process).
- 9.139 Site infiltration testing shows that conditions are not suitable to support the disposal of surface water runoff via infiltration. It is therefore proposed to discharge surface water runoff to the Barwick Tributary, the watercourse to the north within the landowners control. No third-party land is required to reach the watercourse.
- 9.140 Although this represents a local redistribution of flows from the site which would ordinarily run overland southwards, the flows are entering the same watercourse (the River Rib) further upstream than they would currently do.
- 9.141 Sufficient on-site surface water storage will be provided to manage the 1 in 100 annual probability storm including the requisite 40 % allowance for climate change.
- 9.142 It is proposed to attenuate flows in one of three attenuation basins as detailed in the submitted Flood Risk Assessment – illustrated in Appendix B. The greenfield discharge from the basins will be conveyed northwards to the receiving watercourse as detailed above. Exceedance flows will be managed via overland routing along the roads and swales to open space and/or one of the attenuation basins
- 9.143 An urban creep rate of 5% has been applied to the total proposed impermeable catchment area for the residential parcels to simulate a 10% increase in roof/plot area.

- 9.144 It is expected that construction of the surface water attenuation basins and connective (temporary or permanent) pipework to form part of the approach to runoff management would be carried out early during the construction of the site. Water quality would typically be managed with temporary measures within the basins, overdue sediment traps, filter forebay walls (geotextile wrapped gabions), straw bale barriers and chamber fill etc.
- 9.145 Hertfordshire County Council as Local Lead Flood Authority have considered the submitted information and advise that they raise no objection to the proposal subject to the imposition of conditions to secure details of the drainage proposals.
- 9.146 The details submitted with the application relating to surface water flooding and drainage are acceptable and, subject to the imposition of conditions, the proposals accord with policies WAT1, WAT3 and WAT5 regarding sustainability and water management as well as the planning guidance set out in the NPPF and NPPG.

Waste Water Drainage

- 9.147 DP Policy WAT6 outlines that development proposals must ensure that adequate wastewater infrastructure is available.
- 9.148 Thames Water have advised that with regard to sewerage network capacity, they do not have any objection to the planning application based on the information provided which indicates that it will be disposed of via the adopted network.
- 9.149 Therefore appropriate means of dealing with foul water can be appropriately managed.

Sustainable Design and Climate Change

- 9.150 DP Policy CC2 requires developments to minimise carbon emissions, taking into account the Energy Hierarchy.
- 9.151 DP Policy CC1 sets out that proposals should demonstrate how the design, materials, construction and operation of the development would minimise overheating and reduce the need for heating in the winter. Schemes should also minimise the use of mains water, with residential developments designed to meet the water consumption target of 110 litres per head, per day, in line with DP Policy WAT4.

- 9.152 Neighbourhood Plan policy THH6 states that in order to reduce energy use, innovative approaches to the construction of low carbon homes that demonstrate the sustainable use of resources and high energy efficiency levels will be supported
- 9.153 The outline form of this application means that the layout, appearance and method of construction of the proposed development has not yet been finalised although an energy and water statement and the sustainability checklist have been included with the submission which makes a commitment to energy and carbon reduction, climate change adaptation and water efficiency in accordance with the aims of policies CC1, CC2 and WAT4.
- 9.154 Details of sustainability measures and the proposed water efficiency measures would be secured via condition once further detail about the proposed housing on site is known at reserved matters stage.

Trees, Ecology and Biodiversity

- 9.155 District Plan Policy NE2 states that *'All proposals should achieve a net gain in biodiversity where it is feasible and proportionate to do so, as measured by using and taking into account a locally approved Biodiversity Metric, and avoid harm to, or the loss of features that contribute to the local and wider ecological network'*.
- 9.156 Policy NE3 states that *'Development should always seek to enhance biodiversity and to create opportunities for wildlife...with evidence provided in the form of up-to-date ecological surveys'*. Part II-VIII of the policy also state that harm to trees and hedgerows will be resisted.
- 9.157 Neighbourhood Plan policy THE7 states that development should conserve and enhance biodiversity and deliver net biodiversity gains.
- 9.158 The Hertfordshire Local Nature Recovery Strategy (LNRS) comprises the County Council's formal plan to reverse nature's long-term decline. This plan sets clear targets, priorities and actions to support habitats and species. It provides a shared framework so that everyone – across sectors and communities – can help deliver bigger, better and more connected nature recovery projects. The overall vision is to create *'a resilient nature network where green spaces are connected, enhanced and created – allowing people and nature to thrive together'*.
- 9.159 In England, Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). However, the application was submitted

prior to the statutory framework for BNG coming into effect on 12th February 2024 and therefore the proposal is exempt from this provision.

- 9.160 Condition 16 is proposed to secure the provision of ecological enhancement in accordance with Local Plan policy NE2 and NE3. The condition requires an assessment by way of a metric along with measures to increase biodiversity which are proportionate and viable. This will also be subject to long term monitoring.
- 9.161 The application is accompanied by a Preliminary Ecological Appraisal (PEA) which also summarises former protected species surveys that have been undertaken on site and the results of updated eDNA surveys regarding great crested newt.
- 9.162 It highlights that the site comprises mostly of other neutral grassland verge, arable field margins, arable land, native hedgerow and sealed surface (access road).
- 9.163 The survey concludes that the proposed development will not adversely affect any statutory or non- statutory designated nature conservation sites and that none of the habitats onsite are of local significance.
- 9.164 The findings of the habitat survey and protected species scoping survey confirm that the habitats onsite have the potential to support reptiles, foraging and roosting bats, breeding birds, hedgehog and badger. No reptiles or Great Crested Newts were detected on site.
- 9.165 It is recommended that:
- Given the onsite presence of potential bird nesting habitat, any clearance of vegetation that support suitable nesting features, should be timed to avoid the bird breeding season (March-August inclusive). This will be specifically included as a requirement in the Construction Environmental Management Plan CEMP.
 - The trees are recommended to be retained to avoid impact on bats, including a sensitive lighting scheme within the design. This will be secured through the CEMP and specific bat conservation condition.
 - Any hedgehog hibernation habitat is monitored – this will be secured through the CEMP.
 - A pre-construction badger check prior to the commencement of works should be undertaken, and any open excavations should be covered overnight to prevent entrapment – this will be secured through the CEMP.
 - Further survey work should be carried out to establish an ecological baseline – this will be secured through the CEMP.

- Native plant species should be included in the final development design – this will be required through condition and at Reserved Matters stage.
- 9.166 Management of the landscape and ecological features on site will be secured through a Landscape and Ecological Management Plan (LEMP) – condition 16.
- 9.167 On the basis of the above and subject to the imposition of conditions relating to BNG, ecological protection and enhancement, the potential negative effects from development on important ecological features will be acceptably managed and accord with Local Plan policies NE2 and NE3 and the Neighbourhood Plan policy THE7
- 9.168 The application is accompanied by an Arboricultural Survey. This concludes that
- Three trees of Category U are recommended for removal due to poor condition / are dead.
 - One tree of Category B has a root protection area that extends underneath the existing entrance road. Care must therefore be taken to not impact the roots.
 - There are 28 remaining trees on site which are category A-C. The majority of these are located either offsite or around the site boundaries and as such it should be possible to retain these trees throughout development, although some of the root protection areas will extend onsite and therefore adequate measures must be installed to protect them.
 - The Tree Constraints Plan should be consulted to ensure that the constraints posed by the trees are taken into account, when designing the proposed development.
- 9.169 A Tree Retention Plan and a Tree Protection Plan will need to be designed once the layout of the development area has been finalised. This will include locations of trees to be retained, finalised locations of protective barriers, construction exclusion zones and any other protection that trees will require prior to commencement of construction. An Arboricultural Method Statement, Arboricultural Implications Assessment and Tree Management Plan should be supplied with the Tree Protection Plan. This will be required by condition.
- 9.170 On the basis of the above, the proposals accord with Local Plan policies NE2 and NE3, Neighbourhood Plan policy THE7, and the NPPF. Subject to the imposition of conditions, no objection is raised to the ecology impact of the proposal.

Pollution and Land Contamination

Air Quality

- 9.171 DP Policy EQ4 outlines that developments should minimise air quality impacts at design stage and should incorporate best practice in design, construction and operation.
- 9.172 An Air Quality Assessment (AQA) has been submitted with this application, which considers possible air quality impacts during the construction and operational phases of the development and identifies mitigation measures to be adopted to reduce these impacts.
- 9.173 The Environmental Health Officer has reviewed the AQA along with the transport Assessment and Travel Plan and has raised no objection to the proposal on this basis subject to the imposition of conditions.
- 9.174 Subject to imposition of conditions, it is considered that the proposal would accord with Local Plan policy EQ4.

Noise Pollution

- 9.175 Local Plan policy EQ2 notes that development should be designed and operated in a way that minimises direct and cumulative impacts of noise on the environment.
- 9.176 The residential nature of the proposals means that the development itself would not generate excessive noise levels. Consideration is given to possible noise impact on the future occupiers of the proposed development and the Environmental Health team consider that this can satisfactorily be managed through imposition of a condition requiring details of sound insulation in residential units. On this basis, the proposal would accord with Local plan policy EQ2.

Light Pollution

- 9.177 DP Policy EQ3 notes that external lighting schemes must not adversely impact neighbouring uses, or the wider landscape.
- 9.178 The outline form of this application means that the external lighting scheme for the proposed development has not yet been finalised. In order to ensure that sensitive lighting proposals are adopted on the site, a condition is recommended securing details of the external lighting scheme, in accordance with DP Policy EQ3.

Contamination Risk

- 9.179 DP Policy EQ1 requires developments to demonstrate that unacceptable risks from contamination would be successfully addressed through remediation.
- 9.180 The proposed residential use is one that is sensitive to land contamination and is supported by a Preliminary Environmental Risk Assessment, (Geosphere Environmental – July 2023 – Ref: 7277). The Council Environmental Team have advised in light of this that it would be appropriate to impose a condition requiring a phase II intrusive investigation and appropriate measures to deal with any contamination discovered on the site prior to its use.
- 9.181 On this basis, the proposal would accord with the requirement so Local plan policy EQ1.

Infrastructure Requirements

- 9.182 Local Plan policy DEL1 requires adequate infrastructure to be provided both on and off site to enable the delivery of sustainable development. Policy DEL2 sets out that the Council will seek a range of planning obligations, where they are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. This policy requirement reflects Paragraph 58 of the NPPF.
- 9.183 Various objections have been received from local residents questioning the capacity of infrastructure in the area, including schools, health services and utilities. While these comments are acknowledged, all the statutory bodies responsible for these services have been consulted on the application and none have raised concerns on capacity grounds. As such, officers do not consider there to be major constraints to the development, in terms of availability of infrastructure or utilities.
- 9.184 Significant financial contributions would be secured through this scheme, as part of the Section 106 Legal Agreement, towards infrastructure provision. These contributions would be used to improve services and facilities in the locality, so that they are able to accommodate the new residents occupying the development. The secured contributions and obligations are listed below with further detail available in the consultee responses online.
- 1.185 The contributions are set out as an average figure based on 95 homes. It should be noted that the exact number of homes coming forward at

Reserved matters is unknown (although the application states this will be 'up to 95'). HCC have provided a table to be used to calculate the exact contributions once the number and mix of homes is known. All contributions are subject to change based on the final number of houses proposed.

Hertfordshire County Council (indexed linked to BCIS 1Q2024 other than noted exceptions)	
Bus Service Contribution	£250,000 total (index linked to Sept 2025)
Sustainable and Accessible Transport Contribution	£236,795 (index linked by SPONS from March 2024)
<p>Travel Plan to be agreed at least 2 months before first occupation, consisting of a written agreement with the County Council which sets out a scheme to encourage, regulate, and promote sustainable travel measures for owners, occupiers, and visitors to the Development in accordance with the provisions of the County Council's Travel Plan Guidance (March 2020) or any subsequent replacement guidance.</p> <p>To include a Remedial Measures Notice clause enabling the County Council to serve notice in writing on the Owner via the Travel Plan Co-ordinators where the Owner has failed to meet one or more of the targets identified in the Travel Plans, and specifying the remedial measures and/or actions required to be taken by the Owner to remedy the failed implementation towards the agreed targets with a reasonable time provision.</p>	
Travel vouchers in welcome pack for new dwellings	£100 per house and £50 per flat
Evaluation and Support Contribution for the Residential Travel Plan index linked by RPI from March 2014	£6,000
Secondary Education Contribution	£ 1,300,709
Childcare (0 – 2 Years) Contribution	£6,786
Childcare (5 – 11 Years) Contribution	£1,428

Special Educational Needs and Disabilities (SEND) Contribution	£185,148
Libraries Contribution	£33,508
Youth Service Contribution	£23,692
Waste Service Recycling Centre Contribution	£20,420
Waste Service Transfer Station Contribution	£15,172
Fire and Rescue Service Contribution	£40,774
Monitoring fee	£420 per trigger (RPI Jan 2024)
East Herts District Council (all RPI index linked from May 2020 other than noted exceptions)	
Recycling and Refuse Contribution	£6,840 (index linked from October 2008)
Community Centres & Village Hall	£65,822
Fitness Gyms Contribution	£24,167
Studio Space Contribution	£9,983
Swimming Pool Contribution	£55,608
Sports Hall Contribution	£54,379
Bowls	£22,881
Playing pitches	£525 per dwelling
Outdoor tennis	£15,675
BNG monitoring fee	tbc
Monitoring Fee contribution	£3,300.00
Other	
Puller Memorial C of E school	Details of direct pedestrian access from the site to the rear of the school for pupils who reside in the new development.
School land, burial land and allotment land.	Details of long term ownership / stewardship.
Open space and Play space	Details of long term ownership / stewardship.

Hertfordshire and West Sussex Integrated Care Board - GP Provision	£1,291.92per dwelling (Index linked from Date of Resolution)
Affordable Housing	Provision of affordable housing, comprising 40% of the total number of units.
Affordable housing tenure split	75% rented 25% affordable home ownership All rents, inclusive of service charges should be within Local Housing Allowance (LHA) rates for the Broad Market Rental Area in which they are situated. Shared ownership must be affordable to households with a maximum income of £80,000. Shared ownership rents should be set at a maximum of 2.75% of unsold equity. The shared ownership lease should be in the form of the Homes England Model Shared Ownership Lease.

9.186 Officers consider these contributions to be necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. Therefore, these contributions pass the statutory tests for planning obligations, set out at Regulation 122 of The Community Infrastructure Levy Regulations (2010) and reflected in DP Policy DEL2 and Paragraph 58 of the NPPF.

9.187 The application provides a school expansion area, allotment and burial space. Although these provisions are not necessary to make the development acceptable in planning terms, the provisions combine to improve local infrastructure which would constitute a general enhancement to the area and comprise benefits for the wider community. The parameter plans indicate the areas which would be set aside for these provisions. Therefore, limited positive weight is attributed to their provisions in the planning balance.

10.0 Planning Balance and Conclusion

- 10.1 The Council are unable to provide a 5 year supply of housing. On this basis, the NPPF determines that the Local Plan policies relating to the provision of housing should be viewed as out of date.
- 10.2 At paragraph 14, the NPPF states that in relation to an application involving the provision of housing and where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits. This is where the following apply:
- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and
 - b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement.
- 10.3 The Thundridge Neighbourhood Plan was adopted in July 2021 and therefore (a) of para 14 is applicable.
- 10.4 The Neighbourhood Plan does not include any policy or allocation in relation to the provision of housing either permissive or restrictive. On this basis, (b) of para 14 is not engaged and does not apply to consideration of the application. The proposal must therefore be considered in light of NPPF paragraph 11.
- 10.5 Paragraph 11 of the NPPF requires decisions to apply a presumption in favour of sustainable development.
- 10.6 The Council are unable to provide a 5 year supply of housing and therefore the Local Plan policies relating to the provision of housing must be viewed as out of date. Therefore (d) of paragraph 11 requires that planning permission must be granted unless:
- i) The application of policies in the NPPF that protect areas or assets of particular importance provides a strong reason for refusing the proposal; or;
 - ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF.

- 10.7 Particular regard must be given to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes.
- 10.8 Turning to point i, for the purposes of the NPPF, heritage assets are relevant to this submission.
- 10.9 As detailed above, the proposal will result in less than substantial harm at the lower end of the scale to the setting of nearby listed buildings. This harm is outweighed by the public benefits of the proposals (comprising the provision of housing including affordable homes, the provision of burial ground, allotments and the additional school area, and transport improvements in the area along with the sustainable transport contribution and the contribution towards bus service improvement) and noting the Council's lack of 5 year housing supply, the contained and separated nature of the development in relation to the heritage assets, and the low level of harm identified.
- 10.10 In light of the above and with regard to Para 11 d(i), there are no strong reasons for refusing development in relation to areas or assets of particular importance.
- 10.11 Turning to Para 11 (d)ii, this requires a balancing exercise to be undertaken to determine whether the adverse impacts of the development would significantly and demonstrably outweigh the benefits.
- 10.12 This report concludes that the proposed scheme would give rise to a number of benefits, which would attract positive weight in favour of the proposal. Some adverse impacts and conflict with development plan policies have also been identified.
- 10.13 The positive and negative impacts are set out in the table below. Planning considerations not listed in the table are of neutral value.

Planning issue	Positive weight	Negative weight
Provision of up to 95 dwellings, contributing towards the Council's 5YHLS	Significant positive weight	
Provision of 40% affordable housing	Significant positive weight	
Financial contributions towards community facilities, health and	Limited positive weight	

education facilities to meet the needs of the development		
Financial contributions towards sustainable transport improvements and improved bus service of benefit to the wider community	Moderate positive weight	
Improved off site highway works of benefit to the wider community	Limited positive weight	
Economic benefits of new employment during construction, and increased local expenditure from new residents	Limited positive weight	
Provision of school expansion area, allotment and burial space	Limited positive weight	
Provision of BNG	Limited positive weight	
Conflict with the spatial development plan strategy and policies covering the Rural Area Beyond the Green Belt		Moderate negative weight given that parts of the development plan relevant to housing delivery should be considered out of date, as required by Paragraph 11(d) of the NPPF
Reliance on the private vehicle and increased vehicular trips		Moderate negative weight
Adverse landscape and visual impacts		Moderate negative weight (this is an overall

		officer judgement which has been arrived at considering the full extent of impacts on landscape character and receptors at the selected viewpoints in the LVIA).
Heritage Impact		Limited negative weight

- 10.14 Given the above assessment, officers conclude that the benefits of the proposal, principally housing delivery and affordable housing provision, should attract significant positive weight. Whereas the adverse impacts arising from the development including its location outside of a defined settlement and on rural land beyond the green belt should be assigned moderate negative weight
- 10.15 Consideration has been given to the cumulative impact of this and recently granted permissions within in the village but it is concluded that the infrastructure contributions would mitigate against any harm to local services. In addition, limited positive benefits (to the community) are attributed due to the provision of additional school area (to future proof future school expansion), burial ground area and allotment gardens.
- 10.16 The adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits. On this basis, applying the NPPF presumption in favour of sustainable development, on balance and for the reasons detailed above, it is recommended that planning permission be granted for the proposal.

RECOMMENDATION

That planning permission be GRANTED, subject to the imposition of conditions and the completion of a Section 106 Legal Agreement.

TIME LIMITS

1. (a) Application for approval in respect of all matters reserved in this permission shall be made to the Local Planning Authority within a period

of 3 years commencing on the date of this notice. (b) The development to which this permission relates shall be begun by not later than the expiration of a period of 2 years commencing on the date upon which final approval is given by the Local Planning Authority or by the Secretary of State, or in the case of approval given on different dates, the final approval of the last such matter to be approved by the Local Planning Authority or by the Secretary of State.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (As Amended).

APPROVED PLANS

2. Reserved matters applications pursuant to this permission shall be carried out in accordance with the approved plans listed below:

- Location Plan 70-13
- Proposed Access Plan U321-PL-SK-201 REV P06
- Potential Improvements along High Road -3m wide shared footway/cycleway (Dutch kerb option) U321-PL-SK-224 rev P01
- 70-10 Parameter plan 1 – land use and landscape
- 70-11 Parameter plan 2 – access and movement
- 70-12 Parameter plan 3 – building heights and density

Reason: To ensure the development is carried out in accordance with the approved plans, drawings and specifications.

COMMENCEMENT OF DEVELOPMENT

3. Details of the (i) layout, (ii) scale, (iii) appearance and (iv) landscaping, as defined by the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) (hereinafter called "the Reserved Matters"), shall be submitted to and approved in writing by the Local Planning Authority before any development commences. The development shall be carried out in accordance with the Reserved Matters as approved.

Reason: To comply with the provisions of the Town and Country Planning (Development Management Procedure (England) (Order) 2015 (as amended).

SCOPE OF DEVELOPMENT

4. The development hereby approved is for up to 95 dwellings (Use Class: C3). The total quantum of residential dwellings following approval of all reserved matters submissions shall not exceed this amount.

Reason: To provide clarity on the quantum of development, in accordance with Policies DPS1, DPS2, DPS3 and DES4 of the East Herts District Plan 2018.

HOUSING MIX

5. Concurrent with the submission of reserved matters, the housing mix shall be submitted to and agreed in writing with the Local Planning Authority. This shall include a schedule of the mix of house types and sizes to be provided within the reserved matters, which shall take account of the latest Strategic Housing Market Assessment and any additional up-to-date evidence, unless otherwise agreed. The approved details shall be adhered to in the reserved matters applications.

Reason: To ensure that an adequate mix of housing by unit/tenure/position is provided, in accordance with Policies HOU1 and HOU3 of the East Herts District Plan 2018.

SPACE STANDARDS

6. The detailed plans submitted in connection with the approval of reserved matters shall demonstrate that all of the proposed dwellings hereby approved will be designed and constructed to meet or exceed the standards contained within the Technical Housing Standards - Nationally Described Space Standards (2015) (or any subsequent replacement).

Reason: To ensure reasonable living standards, in accordance with Policy DES4 of the East Herts District Plan 2018 and the National Planning Policy Framework 2024.

WHEELCHAIR USER DWELLINGS

7. At least 15% of all dwellings within the development hereby approved shall be completed in compliance with Building Regulations Optional Requirement Part M4 (3) 'wheelchair user dwellings' (or any subsequent replacement), and the remainder completed in compliance with Building Regulations Optional Requirement Part M4 (2) 'accessible and adaptable dwellings' prior to first occupation and shall be retained as such thereafter.

Reason: To ensure that the proposed development is adequately accessible for future occupiers, in accordance with Policy HOU7 of the East Herts District Plan 2018.

SOUND INSULATION SCHEME

8. Prior to the commencement of development above ground, an acoustic design scheme in line with Element 2 of Quantum Acoustics report ref. QA23242/NIA dated Nov 2023 shall be submitted to and approved in writing by the Local Planning Authority as necessary to achieve the 'good'

internal room and external space amenity noise standards in accordance with the criteria of BS 8233:2014 '*Guidance on sound insulation and noise reduction for buildings*'. This scheme shall include recommendations made in the aforementioned report for good acoustic design and take into account the ventilation strategy of the development. Approved details shall be implemented prior to first occupation of the development and thereafter be permanently retained.

Reason: In order to ensure an adequate level of amenity for future occupiers of the proposed development in accordance with Policy EQ2 Noise Pollution and DES4 Design of Development of the adopted East Herts District Plan 2018.

MATERIALS

9. Prior to the commencement of any above ground construction works for the development hereby approved, details and specifications of all the external materials of construction shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented, in accordance with the approved details.

Reason: In the interests of amenity and good design, in accordance with Policy DES4 of the East Herts District Plan 2018.

PROGRAMME OF ARCHAEOLOGICAL WORKS

10. No development shall take place within the proposed development site until the applicant, or their agents, or their successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority.

This condition will only be discharged when the Local Planning Authority has received and approved an archaeological report of all the required archaeological works, and if appropriate, a commitment to publication has been made.

Reason: To secure the protection of, and proper provision for, any archaeological remains, in accordance with Policies HA1 and HA3 of the East Herts District Plan 2018.

FLOOD RISK ASSESSMENT ACCORDANCE

11. Prior to or in conjunction with the submission of the first reserved matters application, in accordance with the submitted Flood Risk Assessment (CCE/U321/FRA-03, November 2023) and Response to LLFA Comments (Cannon Consulting Engineers, 25th April 2025), detailed designs of a surface water drainage scheme incorporating the following measures shall

be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

I. Surface water runoff rates will be attenuated to 3l/s/ha (QBAR) as stated within section 3.3 of the Flood Risk Assessment.

II. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% AEP (1 in 30 year) and 1% AEP (1 in 100) rainfall events (both including allowances for climate change).

III. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:

3.33% AEP (1 in 30 year) critical rainfall event plus climate change to show no flooding outside the drainage features on any part of the site.

1% AEP (1 in 100 year) critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any flooding outside the drainage features, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development. It will also show that no runoff during this event will leave the site uncontrolled.

IV. The design of the any attenuation / detention basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% AEP (1 in 100) rainfall event plus climate change allowance.

V. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all relevant sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.

VI. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policy WAT1 of the East Herts District Plan 2018.

TEMPORARY DRAINAGE MEASURES

12. Development shall not commence until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Planning Authority

Reason: To prevent flooding and pollution offsite in accordance with the NPPF and policy WAT1 and WAT5 of the East Herts District Plan 2018

SUDS SCHEME

13. The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme, (detailing the activities required and details of who will adopt and maintain all the surface water drainage features for the lifetime of the development) have been submitted to and approved in writing by the Local Planning Authority.

The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

I. a timetable for its implementation.

II. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.

III. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

This will include the name and contact details of any appointed management company.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and policies WAT1 and WAT5 of the East Herts District Plan 2018.

VERIFICATION REPORT

14. Prior to first occupation of the development, a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), shall be submitted to and approved (in writing) by the Local Planning Authority.

The verification report shall include a full set of “as built” drawings plus photographs of excavations (including soil profiles/horizons), any installation of any surface water drainage structures and control mechanisms.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policy EQ1 of the East Herts District Plan 2018.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

15. No development shall take place (including demolition, vegetation clearance or ground works – but excluding any investigatory works required in connection with discharge of a planning condition) until a Construction Environmental Management Plan (CEMP) including a section for ecology has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:

-How emissions with the potential to adversely impact the local air quality are to be mitigated throughout the duration of the construction. As a minimum this shall include the recommendations contained within Sections 6.1 - 6.9 of the Mayer Brown Air Quality Assessment – Ref. SPHighCross(A).9 Rev 2 - December 2023.

-A review of any ecological impacts and further survey work as detailed in the Preliminary Ecological Appraisal report and Protected Species Surveys document dated 4.12.23.

-Risk assessment of potentially damaging construction activities.

-Identification of ‘biodiversity protection zones’

-A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts

during construction including those identified in relation to birds, bats, hedgehogs and badgers in the Preliminary Ecological Appraisal report and Protected Species Surveys document dated 4.12.23.

-The location and timings of sensitive works to avoid harm to biodiversity features including that any clearance of vegetation that supports suitable nesting features, should be timed to avoid the bird breeding season (March-August inclusive).

-The times during construction when specialist ecologists need to be present on site to oversee works.

-Responsible persons and lines of communication.

-The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person

Development shall proceed in accordance with the approved CEMP, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure sensible working practices which protect ecology on and adjacent to this site in accordance with East Herts District Plan policy NE3. And to ensure an adequate level of air quality for the local residents in accordance with policy EQ4 Air Quality of the adopted East Herts District Plan 2018 and in line with the East Herts Sustainability SPD and IAQM Guidance 2017

BIODIVERSITY NET GAIN PLAN AND LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN

16. Prior to the first occupation of the development hereby approved, a Biodiversity Net Gain Plan and Landscape Environmental Management Plan (LEMP), informed by the Statutory Metric, shall be submitted to and approved in writing by the Local Planning Authority. They shall demonstrate that a 10% biodiversity net gain will be achieved on the site and shall also include:

-Descriptions and evaluations of features to be managed;

-Ecological trends and constraints on site that might influence management;

-Proposals for ecological enhancements for habitats and species to include swift bricks and other features integral to the built form of the development.

-Details of species and mixes selected to achieve target habitat conditions as identified in the metric.

-Aims and objectives of management;

-Appropriate management options for achieving target condition for habitats as described in the metric;

-Details of management actions;

Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);

-Details of the body or organisation responsible for implementation of the plan;

-Ongoing monitoring plan and remedial measures to ensure habitat condition targets are met;

-Details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The Development shall be implemented in accordance with the approved details and the management prescriptions shall be implemented across the site for a period to be agreed in the LEMP.

Reason: To ensure that a biodiversity net gain is delivered and habitats are appropriately managed, in accordance with Policies NE2 and NE3 of the East Herts District Plan 2018.

LANDSCAPED AREAS OPEN SPACE AND PLAY SPACE

17. Prior to first occupation of the development, a scheme detailing the long-term stewardship, maintenance and management of all landscaped areas, public space and play areas within the application site shall be submitted to and approved in writing by the Local Planning Authority.

The site shall be managed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision of high quality open space in accordance with Policies DES4 and CFLR1 of the East Herts District Plan 2018.

FARMLAND BIRDS

18. Prior to commencement of development, a farmland bird management and monitoring plan shall be submitted to and approved in writing by the local planning Authority.

This must define target species and appropriate enhancement measures with boundary vegetation forming a critical part of these.

Management and monitoring of the buffer zones and hedgerows should be managed against specific criteria relating to nesting birds.

The development shall be carried out in accordance with the approved Farmland Bird Management and Monitoring Plan for the lifetime of the development.

Reason: To protect farmland birds in accordance with East Herts District Plan policy NE3.

LIGHTING DESIGN STRATEGY (BATS)

19. Prior to the commencement of any development above ground level, a Lighting Design Strategy for bats shall be submitted to and approved in writing by the Local Planning Authority. This Lighting Design Strategy shall:

- accurately identify features/areas of interest;
- describe levels of illumination (during construction/post completion) and - illustrate illumination levels on contour plans/charts; and
- include a statement from an ecologist explaining how goals would be achieved.

Thereafter, the development shall be carried out and operated in full accordance with the approved Lighting Design Strategy.

Reason: To ensure that adverse impacts on protected species are avoided, in accordance with Policy NE3 of the East Herts District Plan 2018.

TREE PROTECTION PLAN AND ARBORICULTURAL METHOD STATEMENT

20. Prior to the commencement of any development hereby approved, an updated Tree Protection Plan (TPP) and Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. This TPP and Arboricultural Method Statement shall demonstrate how retained trees and hedgerows would be protected during the construction phase. Thereafter, the development shall only be carried out in full accordance with the approved details.

Reason: To ensure the protection of trees and hedgerows during construction, in accordance with Policies DES3 and NE3 of the East Herts District Plan 2018.

LANDSCAPING

21. Prior to the commencement of any development above ground level, full landscaping details shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- Hard surfacing materials;
- Soft landscaping proposals;
- Retained landscape features;
- Planting plans detailing schedule of plants, species, planting sizes and density of planting;
- Area for allotment; and
- An implementation timetable.

Thereafter, the site shall be landscaped in full accordance with the approved details and implementation timetable.

Reason: To ensure the provision of amenity afforded by appropriate landscape design, in accordance with Policy DES3 of the East Herts District Plan 2018.

LANDSCAPE MAINTENANCE

22. Prior to the first occupation of the development hereby approved, a schedule of landscape maintenance for a minimum period of five years, following completion of the approved development, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the landscaping shall be maintained, in accordance with the approved schedule.

Reason: To ensure the maintenance of landscaping, in accordance with policy DES3 of the East Herts district plan 2018.

MEANS OF ENCLOSURE/BOUNDARY TREATMENTS

23. Prior to the commencement of any development above ground level, details of all means of enclosure and boundary treatments within the development shall be submitted to and approved in writing by the Local Planning Authority. This shall include boundary treatments to delineate public space and private defensible space, any low rising fencing or enclosures to attenuation/retention basins, as well as the boundaries of the site. Thereafter, the development shall be constructed in full accordance with the approved details. No dwelling shall be occupied until all the means of enclosure for the relevant dwelling have been installed.

Reason: In the interests of amenity and good design, in accordance with Policy DES4 of the East Herts District Plan 2018.

PLAY SPACES

24. Prior to the first occupation of the development hereby approved, details of at least one Locally Equipped Area for Play (LEAP) and one Local Area for Play (LAP) shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- a site plan showing the detailed layout of the play spaces;
- scaled drawings of new play equipment/furniture;
- scaled drawings of any boundary treatments; and
- information on any surface coverings.

No dwelling shall be occupied until the LEAP and LAP have been installed in accordance with the approved details.

Reason: To ensure the provision of high-quality play spaces, in accordance with Policies DES4 and CFLR1 of the East Herts District Plan 2018.

CONTAMINATED LAND

25. The development hereby permitted shall not begin until a scheme to deal with contamination of land/ground gas/controlled waters has been submitted to and approved in writing by the local planning authority. The scheme shall include all the following measures, unless the local planning authority dispenses with any such requirement specifically in writing:

1) A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites – Code of Practice. The report shall include a detailed quantitative human health and environmental risk assessment.

2) A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation shall be stated, and how this will be validated. Any ongoing monitoring shall also be determined.

3) If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the local planning authority.

4) A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology shall be submitted to and approved by the Local Planning Authority prior to first occupation of the development. Details of any post-remedial sampling and analysis to

demonstrate that the site has achieved the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with national planning policy guidance set out in section 11 of the National Planning Policy Framework, and to protect human health and the environment in accordance with policy EQ1 of the adopted East Herts District Plan 2018

SUSTAINABLE DESIGN

26. Prior to the commencement of any above ground construction works for the development hereby approved, details of the sustainability measures to be incorporated within the development shall be submitted to and approved in writing by the Local Planning Authority. These sustainability measures shall include details of:

- Energy efficient construction techniques;
- Energy efficient lighting and fittings;
- Services and controls;
- Efficient energy supply including details of air source heat pumps
- Water efficiency measures, which demonstrate compliance with the water consumption target of 110 litres, or less, per head, per day.

The measures shall be fully implemented and completed prior to first occupation of each dwellinghouse or block of residential flats and the development and shall be maintained, in accordance with the approved details for the lifetime of the development.

Reason: In the interests of minimising carbon emissions and promoting sustainable design, in accordance with Policies CC1, CC2 and WAT4 of the East Herts District Plan (2018).

NO NOX OR LOW NOX BOILERS CONDITION

27. The domestic heating systems shall not result in NOx emissions, unless gas-fired boilers are to be utilised in which situation they must meet a minimum standard of <40 mgNOx/kWh

Reason: In order to ensure an adequate level of air quality for residents of the new dwellings in accordance with policy EQ4 Air Quality of the adopted East Herts District Plan 2018 and in line with the East Herts Sustainability SPD and IAQM Guidance 2017.

BROADBAND CONNECTIVITY

28. Prior to the first occupation of the development hereby approved, details of the measures required to facilitate the provision of high-speed broadband connections shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a timetable and method of delivery for high-speed broadband for each residential unit. Once approved, high-speed broadband infrastructure shall be implemented thereafter in accordance with the approved details, including the timetable and method of delivery.

Reason: In order to ensure the provision of appropriate infrastructure to support the future sustainability of the development, in accordance with Policies ED3 and DES4 of the East Herts District Plan 2018.

ELECTRIC VEHICLE CHARGING POINTS

29. Prior to first occupation, one electric vehicle charging point per unit per dwelling (dwelling with dedicated parking) shall be provided.

Reason: In order to promote sustainable transport in the District in accordance with Policy TRA1 Sustainable Transport, to minimise air quality impact at the design stage in accordance with Policy EQ4 Air Quality, and to incorporate high quality innovative design, new technologies and construction techniques, including zero or low carbon energy in accordance with Policy DES4 Design of Development of the adopted East Herts District Plan 2018.

EXTERNAL LIGHTING

30. Prior to the first occupation of the development hereby approved, details of any external lighting proposed in connection with the development shall be submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that any external artificial lighting does not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals Guidance Note 01/20 'Guidance notes for the reduction of obtrusive light'. Lighting should be minimized and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Note.

Thereafter, the development shall be implemented in accordance with the approved details.

Reason: In order to ensure inappropriate light pollution does not occur and to ensure an adequate level of amenity for the occupants of nearby properties, in line with Policy EQ3 of the East Herts District Plan 2018.

FIRE HYDRANTS

31. Prior to the first occupation of the development hereby approved, a scheme for the provision of fire hydrants shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the fire hydrants have been installed as approved. Thereafter, the fire hydrants shall be retained in their approved form.

Reason: To ensure fire safety, in line with Building Regulations and Policy DES5 of the East Herts District Plan 2018.

VEHICLE ACCESS

32. Before first occupation of the development, additional plans must be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which show the detailed engineering design and construction of the new vehicle access and associated highway works, as shown on drawing numbers U321-PL-SK-224 rev P01 (Potential Improvements along High Road -3m wide shared footway/cycleway (Dutch kerb option)) and U321-PL-SK-201 REV P06 (Proposed Access Plan). There shall be no occupation or use of any part of the development until these works are constructed and completed to the specification of the Highway Authority and Local Planning Authority's satisfaction.

Reason: To ensure the provision of a vehicle access which is safe, suitable, and sustainable for all highway users in accordance with policy TRA2 of the East Herts District Plan 2018.

VISIBILITY SPLAYS

33. Concurrent with the construction of the access, a visibility splay of 2.4 metres X 90 metres to the north and 2.4 metres X 43 metres to the south shall be provided in perpetuity, within which there shall be no vertical obstruction between 600mm and 2 metres.

Reason: To ensure suitable visibility from the vehicle access, in the interest of highway safety in accordance with policy TRA2 of the East Herts District Plan 2018.

PEDESTRIAN AND CYCLE ACCESS

34. Before first occupation or use of the development, additional plans shall be submitted to, and approved in writing by, the Local Planning Authority which show the detailed engineering design and construction of the proposed 3 metre wide footway/cycleway connection between the site and High Road, to include suitable lighting, as shown on drawing numbers U321-PL-SK-224 rev P01 (Potential Improvements along High Road -3m

wide shared footway/cycleway (Dutch kerb option)). These works shall be constructed and completed as approved before first occupation or use of the development.

Reason: To ensure the provision of pedestrian/cycle access which is safe, suitable, and sustainable for all highway users in accordance with policy TRA2 of the East Herts District Plan 2018.

HIGHWAY IMPROVEMENT WORKS

35. Before occupation of any part of the development, additional plans must be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which show the detailed engineering designs and construction of all improvement works to High Road and Ermine Street as shown on drawing number U321-PL-SK-224 rev P01 ('Potential Improvements along High Road' / 'Potential Improvements along High Road Dutch Kerb Option'). This includes but is not limited to:

- Extending the existing 30mph speed limit on Ermine Street approximately 75 metres north, with associated gateway features.
- Upgraded bus stops on High Road, to include raised Kassel kerbing.
- Upgrade of the existing footway along High Road to accord with LTN1/20, to include widening to 3 metres width minimum as a shared footway/cycleway.
- Improvements to the High Road service road to better accommodate pedestrians and cyclists, to include a tightened access onto High Road, parking restrictions, and a continuous footway over 'The Bungalow' access.
- New carriageway build-out and improvements to existing carriageway build-outs on High Road.
- Widened footway on the western side of High Road to 2 metres width.

These works shall be constructed and completed as approved before first occupation or use of the development.

Reason: To ensure users of the development can travel safely, freely, and sustainably to High Cross centre and other key destinations in accordance with policy TRA1 of the East Herts District Plan 2018.

FOOTPATH IMPROVEMENTS

36. Before occupation of any part of the development, additional plans must be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which show the detailed engineering designs and construction of improvement works to public right of way Footpath Thundridge 045. The extent of improvement works

shall be from the A10 to High Road. These works shall be constructed and completed as approved before first occupation or use of the development.

Reason: To ensure users of the development can travel safely, freely, and sustainably to the High Cross centre and other key destinations in accordance with policy TRA1 of the East Herts District Plan 2018.

INTERNAL / LAYOUT

37. The detailed plans submitted in connection with approval of the reserved matters shall show to the satisfaction of the Local Planning Authority:

- The details of all hardsurfaced areas within the site. This includes, but is not limited to, all roads, footways, forecourts, driveways, parking and turning areas, and foul and surface water drainage.
- The level of footway and carriageway visibility from each individual vehicle access, and the level of visibility from and around each main junction within the site, within which there shall be no obstruction to visibility between 600mm and 2 m above the carriageway level.
- That service vehicles, including refuse and emergency vehicles, can safely and conveniently access and route through the site, to include the provision of sufficient turning and operating areas.
- The provision of sufficient facilities for cycle storage.

All these features shall be implemented as approved before first occupation or use of the development and maintained in perpetuity.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises in accordance with policy TRA2 of the East Herts District Plan 2018.

CYCLE STORAGE

38. Prior to first occupation, the provision of facilities for cycle storage shall be made to the satisfaction of the Local Planning Authority in accordance with details submitted at reserved matters stage.

Reason: To promote sustainable/active travel, in line with paragraphs 115-117 of the NPPF.

SITE WASTE MANAGEMENT PLAN

39. No development shall take place until a Site Waste Management Plan (SWMP) for the site has been submitted to the Local Planning Authority

and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type. The development shall be carried out in accordance with the approved SWMP.

Reason: To promote the sustainable management of waste arisings and contribution towards resource efficiency, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).

PERMITTED HOURS FOR BUILDING WORK

40. In connection with all site preparation, demolition, construction, conversion and ancillary activities, working hours shall be restricted to 08:00 – 18:00 hours on Monday to Friday, 08:00 – 13:00 hours on Saturdays, and not at all on Sundays or Bank / Public Holidays. Vehicles arriving at and leaving the site must do so within these working hours.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with Policy EQ2 Noise Pollution of the adopted East Herts District Plan 2018.

NOTIFICATION TO NEIGHBOURS OF BUILDING WORKS

41. At least 21 days prior to the commencement of any site works, all occupiers surrounding the site shall be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works shall be made available for enquiries and complaints for the entire duration of the works and updates of work should be provided regularly. Any complaints shall be properly addressed as quickly as possible.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with Policy EQ2 Noise Pollution of the adopted East Herts District Plan 2018.

DUST

42. Best Practicable Means (BPM) shall be used in controlling dust emissions during all site preparation, demolition, construction and ancillary activities. In times of exceptionally dry weather, additional measures should be put in place to mitigate against the spread of dust.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with Policy EQ4 Air Quality of the adopted East Herts District Plan 2018.

WASTE MANAGEMENT AND DISPOSAL

43. All waste materials and rubbish associated with site preparation, demolition or construction shall be contained on site in appropriate containers which, when full, should be promptly removed to a licensed disposal site.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with Policy EQ4 Air Quality of the adopted East Herts District Plan 2018.

CONSTRUCTION TRAFFIC MANAGEMENT PLAN

44. Before commencement of the development, a 'Construction Traffic Management Plan' shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The 'Construction Traffic Management Plan' must set out:

- the phasing of construction and proposed construction programme.
- the methods for accessing the site, including wider construction vehicle routing.
- the numbers of daily construction vehicles including details of their sizes, at each phase of the development.
- the hours of operation and construction vehicle movements.
- details of any highway works necessary to enable construction to take place.
- details of construction vehicle parking, turning and loading/unloading arrangements clear of the public highway.
- details of any hoardings.
- details of how the safety of existing public highway users and existing public right of way users will be maintained.
- management of traffic to reduce congestion.
- control of dirt and dust on the public highway, including details of the location and methods to wash construction vehicle wheels.
- the provision for addressing any abnormal wear and tear to the highway.
- the details of consultation with local businesses or neighbours.
- the details of any other Construction Sites in the local area.
- waste management proposals.

Reason: To minimise the impact of the construction process on the on local environment and local highway network in accordance with policy TRA2 of the East Herts District Plan 2018.

BURIALS

45. All burials in the cemetery shall be:

a minimum of 50 metres from a potable groundwater supply source
a minimum of 30 metres from a water course or spring
a minimum of 10 metres distance from field drains
a minimum of 1 metre above the highest anticipated annual groundwater level

Reason: Groundwater is particularly sensitive in this location because the proposed development is within Source Protection Zone 3, and located upon active principal and secondary aquifers. In addition, the site is located in a drinking water surface water safeguard zone.

INFORMATIVES

1. Other legislation
2. Archaeological interest
3. Planning obligation
4. Street naming and numbering
5. BNG
6. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
7. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website 0300 1234047.
8. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to

emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

9. Construction standards for works within the highway. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
10. Traffic Regulation Order (TRO): The applicant is advised that in order to comply with any planning permission granted, they will need to progress a TRO application to facilitate the proposed parking restrictions along the High Road service road. The TRO process is subject to its own consultation process, and the applicant should commence this process as soon as possible. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pave> ments.aspx or by telephoning 0300 1234047.
11. Estate Road Adoption: The applicant is advised that Hertfordshire County Council as Highway Authority no longer adopts new highway as maintainable at the public expense unless a wider public benefit can be demonstrated. However, all internal roads should be built to adoptable standards. For any sections of highway that will not be adopted, the developer should put in place a permanent arrangement for long term maintenance, and at the entrance of any such residential estates, a road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
12. Planning permission granted subject to the completion of a Section 106 Agreement between the applicant, East Herts District Council,

Hertfordshire County Council, and other necessary party to secure the following:

- A) A Bus Service Contribution of £250,000 index linked by CPI from September 2025 to extend and/or re-route existing bus services and/or the provision of new bus services as deemed appropriate, to serve the Development and connect it to other key locations in East Herts, and/or adjacent district/borough areas. The Contribution should be paid in five instalments at £50,000 per annum for 5 years, with the first instalment paid before commencement (this trigger point is necessary to ensure timely bus network planning, vehicle purchase, staff cover, etc, to secure an improved bus service on first occupation or use of the development).
- B) A Sustainable & Accessible Transport Contribution payable before commencement of the development of £236,795 index linked by SPONS from March 2024, to go towards East Herts Local Cycling and Walking Infrastructure Plan development and delivery in the vicinity of the development. This figure is based on 95 dwellings, and may change depending on the final number of dwellings (i.e. add or subtract £9861 per dwelling difference).
- C) Travel Plan:
- i) An approved Residential Travel Plan at least 2 months before first occupation, consisting of a written agreement with the County Council which sets out a scheme to encourage, regulate, and promote sustainable travel measures for owners, occupiers, and visitors to the Development in accordance with the provisions of the County Council's Travel Plan Guidance (March 2020) or any subsequent replacement guidance.
- ii) The Residential Travel Plan is subject to an 'Evaluation and Support Contribution' totalling £6,000 (index linked by RPI from March 2014). The contribution is payable before first occupation or use of the development and needed to cover the County Council's costs of administering and monitoring the objectives of the Travel Plans and engaging in any Travel Plan Reviews. The applicant's attention is drawn to Hertfordshire County Council's guidance on Travel Plans in this respect.
- iii) Travel Vouchers of £100 per house and £50 per flat, index linked by RPI from May 2014, to be included within the Welcome Pack for each new resident.
- iv) A Travel Plan Remedial Measures Notice clause within the Legal Agreement, enabling the County Council to serve notice in writing on the Owner via the Travel Plan Co-ordinators where the Owner has failed to meet one or more of the targets identified in the Travel Plans, and

specifying the remedial measures and/or actions required to be taken by the Owner to remedy the failed implementation towards the agreed targets with a reasonable time provision.

D) A direct pedestrian and cycle link from the development to the rear of Puller Memorial Primary School, with detailed design plans submitted to and approved in writing by the Local Planning Authority before first occupation or use of the development.

13. The Minerals Planning Authority would like to encourage the opportunistic extraction and subsequent use of sand and gravel deposits within the developments wherever possible. Opportunistic use of minerals will reduce the need to import sand and gravel to the site and make sustainable use of these valuable resources.
14. During any site preparation, demolition and construction phase the guidance in BS 5228-1:2009+A1:2014 '*Code of practice for noise and vibration control on construction and open sites*' should be adhered to.
15. Should air source heat pumps be chosen as a sustainably energy solution for the development, conditions will be required in order to control noise levels. Further information on noise limits and appropriate mitigation for air source heat pumps can be requested from Environmental Health.
16. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.