PLANNING AND REGULATORY COMMITTEE
30 July 2014

REPORT OF THE CHIEF EXECUTIVE

PLANNING APPLICATIONS FOR DETERMINATION

Item 1: 07/13/0899/O

Location: Land to the west of Hoddesdon and east of the A10 incorporating land to the north and south of the Link Road between Hertford Road and Lord Street and land to the south of Lord Street

Description: An outline planning application for a residential/mixed use development incorporating housing up to 523 Units (with delivery of a 1FE Primary School) or up to 485 Units (with delivery of a 2FE Primary School), a shop, an hotel (with ancillary gym/restaurant), commercial floor space, public open space and allotments, with all matters reserved except for means of access from the A1170 Link Road

Applicants: Lands Improvement Holdings, Landmatch Sarl & Hubert C Leach Ltd

Date Received: 14/10/2013 Date of Committee: 30/07/14

Expiry Date: 28/01/2014 Officer Contact: Andrew MacDougall

RECOMMENDED that subject to the applicants first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) and the application first being submitted to the Secretary of State, planning permission be granted subject to the conditions set out at the end of this report.

1. CONSULTATIONS

1.1 Hertfordshire County Council Highways - No objection subject to conditions, a section 106 agreement and a section 278 agreement to contain mitigation measures.

1.2 Highways Agency – No objection.

1.3 Environment Agency – No objection subject to conditions and the need for a detailed drainage scheme for the entire site.

1.4 The Herts and Middlesex and Wildlife Trust – No objection.
1.5 **Thames Water** – No objection. The development can be supplied from the 300mm main within Hertford Road at the north of the site without mains reinforcement. However, should the developer wish to develop land south of Link Road first a new main would be required.

1.6 **English Heritage** – No objection subject to the application being determined in accordance with national and local policy guidance.

1.7 **Natural England** – No objection subject to conditions.

1.8 **Sport England** – No objection subject to conditions.

1.9 **National Grid** – No objection but identifies that there is apparatus in the vicinity of the site (see paragraph 8.107).

1.10 **CPRE** – Raise concern about the number of variables, the uncertainty about the ultimate quantum of development and its appearance. Consider that the proposed development directly conflicts with the NPPF and the Broxbourne Local Plan. Consider that Very Special Circumstances are not demonstrated and the application is premature pending the anticipated consultations on the emerging Local Plan.

1.11 **HCC Minerals and Waste** – No objection.

1.12 **HCC Waste Management** – No objection subject to suitable road surfaces for collection vehicles.

1.13 **NHS Hertfordshire** – A number of surgeries will be affected by the proposal and do not have the capacity to absorb the additional requirement resulting from the development. However, no objection subject to the developers making a contribution to the enhancement of health facilities in the vicinity of the site (see paragraph 8.113).

1.14 **HCC Archaeology** – No objection. Further archaeological evaluation may be requested when more detailed proposals are submitted at reserved matters stage.

1.15 **HCC Education** – Local primary schools are currently either full or almost full and forecasts indicate that this will continue to be the case for the foreseeable future. Land and funding is therefore requested to be made available through a S106 agreement for additional school facilities (see paragraph 8.108 to 8.112). Provision for nursery schooling is also requested. There is current secondary school capacity to absorb the development. Secondary school places are expected to come under pressure by 2019/20 but there is considered to be sufficient scope for expansion within local secondary schools. A financial contribution is sought to assist with a future expansion programme. As the proposed contribution is not considered by the County Council to meet the full costs of providing for educational provision and it is not currently proposed that the County Council would be party to the section 106 agreement, the County Council is objecting to the planning application (see paragraphs 8.108 to 8.112).
1.16 **BBC Environmental Health** – No objection in regard to air quality issues. No objection in regard to contamination issues.

2. **PUBLICITY**

2.1 The Council wrote to 389 neighbouring residents, erected 6 public notices and issued press adverts in the Hoddesdon Star.

2.2 The applicants undertook a programme of community engagement and consultation on the proposals in the form of two x two day events at a local venue. The applicants’ Statement of Community Involvement demonstrates that a wide range of stakeholders, including neighbouring businesses, residents and sports clubs were consulted. Approximately 1,375 people attended the events.

2.3 Feedback forms were utilised by the applicant’s focusing on broad issues of design and other key components of the Master Plan. According to the applicant’s conclusions, environmental concerns ranked highly as well the use of ‘garden village’ design principles. Issues of community facilities, sustainable linkages and transport were highly ranked but sports facilities and the principle of building new houses were less highly ranked.

2.4 On Monday 14th July 2014, the Council undertook a public consultation exercise in the form of a public meeting at the Broxbourne Civic Hall. Approximately 300 residents attended. A power point presentation was given by officers of the Council regarding the facts of the application and questions from the audience were answered by officers. Issues of development principle, transport, pollution and infrastructure were considered to be the most prominent issues raised by attendees.

3 **REPRESENTATIONS**

3.1 At the time of writing the report two hundred and twenty letters of objection have been received and two letters of support - from B3 Living and Hertfordshire Chamber of Commerce. The representations are summarised below.

**Green Belt**

- Unacceptable development in the Green Belt
- Breaches the stated purposes of the Green Belt as stated in the NPPF;
- The development will be the thin end of the wedge for development in the Green Belt;
- This is ancient land and should be untouched;
- This is an historic part of Hoddesdon and should remain untouched;
- Area south of Lord Street should not be developed;
- Concern over development on adjacent land and other sites in Hoddesdon;
- CPRE has objected;
- No land will be left to grow crops, exercise animals;
- Land grabbing south of Lord Street;
Environment

- This is not a sustainable development
- Old landfill areas could be full of contaminated land;
- Land was subject to mineral and landfill operations, not suitable for housing;
- Flooding will increase;
- Lord Street is prone to flooding;
- Will lead to further pollution;
- Litter problems;
- Very valuable arable land;
- B3 Living support the levels of green space.

Ecology

- Site is rich with wildlife which will be lost;
- Wildlife must be protected;
- Damage to local woodland will result;
- Wildlife on Bramble Lane will be affected;
- Educational potential for the woodland is lost

Transport

- Will cause local roads to become heavily congested;
- Development will create rat running;
- Development will add to congestion problems on the A.10 slip road;
- Access to the A10 will be harmed;
- Will impact upon the M25 junction with the A10;
- Lord Street should not be used for any further traffic;
- Lord Street is dangerous for cars, more traffic will increase risk;
- Will cause problems on Mangrove Lane, outside the borough;
- New access points onto Lord Street are dangerous
- Dangerous pedestrian crossing of the Link Road;
- Road closures will be a problem;
- Will cause congestion on trains and buses all of which are too full;
- Will have a detrimental impact upon station parking;
- Walking and cycling to the town centre is not feasible;
- Car parking problems both on site and within Hoddesdon;
- Dumbbell roundabout design will not work.

Infrastructure

- Infrastructure in the local area cannot cope;
- Schools are already at capacity;
- Secondary education is a particular concern;
- No senior school provision is made;
- Pre-school capacity is a problem;
- Closure of other schools will cause problems;
- Doctors, NHS and Dentists will struggle with demand;
- NHS Hospitals too busy;
- Sewerage provision is a concern;
- Rye Road sewerage cannot cope;
- Sewer connection sought to High Leigh Conference Centre;
- Electric power lines will cause problems;
- Water infrastructure cannot cope;
- The investment in infrastructure is welcomed.

Amenities
- Recreation land will be lost;
- Noise for future residents will be unbearable;
- Critique of bunding proposal is provided;
- Bunding and fencing will not solve street light or traffic light glare;
- Views will be destroyed;
- Litter problems will result;
- Overcrowding of town;
- There is no buffer shown between proposed and existing properties;
- Overlooking will result from houses on higher land;
- B3 Living support the amenity provision for inhabitants.

Housing
- The Council already has a five years housing land supply;
- Should build houses which have permission, not new ones;
- Too many houses, too much population expansion;
- This will lead to more development in and around the area;
- Will not be housing for the residents of Hoddesdon;
- This is a new estate and new suburb, no connection to Hoddesdon;
- This is turning Hoddesdon into a London suburb;
- No need for the extra houses;
- Location of affordable housing is not yet known and not welcome;
- Does not solve the problem of affordable housing;
- Affordable housing should be for local people;
- Houses will not be affordable;
- Housing should be affordable, not low cost;
- Aging population, but too few houses for elderly are proposed;
- Hoddesdon would be better served by piecemeal development on a small scale;
- Brownfield land should be prioritised;
- Hoddesdon High Street should be used for additional housing;
- The site will be extended south and to the north if approved;
- Houses will be devalued;
- Houses will be made hard to sell in the local area;
- Development stops people from selling houses and moving on with life;
- B3 Living welcome affordable housing being distributed across the site;
- Additional housing is welcomed with a good mix of affordable.
Design/Character

- Area is important to the character of Hoddesdon;
- Houses will be out of character;
- This is not a garden village, it is a housing estate;
- Town would lose its character;
- This will be classic urban sprawl.

Sport/Leisure

- Lowfield Sports ground should not benefit from this application;
- This site should not be used as a way of expanding Hoddesdon Town FC;
- Will be detrimental to Barclay Park, a heritage asset;
- Hoddesdon does not have enough leisure uses.

Economics

- There is no economic reason for this development;
- There is no need for a new hotel, it will compete with existing facilities;
- Concern over competition for existing hotels and businesses;
- Concern raised over the trading name;
- Empty shop units will increase in town centres;
- New retail unit will be detrimental to the town centre;
- Hoddesdon already has empty units which should be used;
- While short terms construction jobs will be created, no long term ones will result;
- People will use Brookfield rather than struggle to get into Hoddesdon;
- No justification behind the applicant’s economic figures;
- No evidence to support claims of Hoddesdon failing;
- Where are all the jobs for the new people moving into area;
- Hoddesdon is a commuter town, don’t need additional jobs;
- Only developers will make money, everyone else loses out.

Miscellaneous

- Developer greed;
- This is to the benefit of a company not Hoddesdon;
- Developers have no credibility
- Documentation submitted is biased;
- A profit led development will not cure all of Hoddesdon’s problems;
- Contrary to the government’s manifestos;
- Nothing is given to the community, all facilities will come at a price;
- Some residents have not been allowed to voice their opinion;
- Could take years to build;
- Will police cope with additional houses
- No additional funding for police;
- Further social problems;
- This will be detrimental to the Lee Valley
- The LVRP should be consulted
- Where will S106 money be spent in town, no firm projects;
- Less parking could be considered against higher fabric insulation;
- Viability of the scheme is questionable.

3.2 A questionnaire survey has been submitted by a group of local residents. The survey indicates that 894 people responded. A number of questions relating to the development and how the development impacts upon Hoddesdon were covered. The overall view is one of anti-development.

3.3 PHD Planning Consultants, instructed by Mr L Grant on behalf of the Stop High Leigh Garden Village Action Group have submitted two reports. The first report appraises the development against local and national planning policy. In summary, the report concludes that the harm arising from the proposed development to the Green Belt should be afforded substantial weight in terms of its inappropriateness, loss of openness, damage to visual amenity and encroachment etc. Further harm arises by way of damage to the countryside, poor location considerations, inadequate access provisions, poor infrastructure and damage to existing facilities. The report advocates the refusal of planning permission. The second report responds to the applicant’s submission of a supplementary statement on very special circumstances. The report reinforces the need for this site to be considered through the Local Plan rather than the current application, and highlights the applications failure to meet affordable housing policy and the failure to demonstrate very special circumstances.

3.4 Two letters on behalf of Crest Strategic and Commercial Estates Group have been received. In summary:

- Given the scale of the proposal on a green field and open site, an approval at this time would be premature and contrary to policies;
- Although support is given to the applicants’ view of the five year land supply, this is not considered justification for departure from policy;
- Adequate justification for the hotel has not been submitted;
- While recognising the need for housing in the borough, the development is unlikely to start providing houses for at least four years, having regard to technical and mitigating factors including access, electricity pylons and contamination.
- Concerns are raised about the impact of the acoustic bunding and fencing on the landscape;
- Insufficient play provision is provided for.

4. RELEVANT LOCAL PLAN POLICIES

4.1 The following policies of the Borough of Broxbourne Local Plan Second Review 2001-2011 (adopted December 2005) apply:


4.5 Interim Policy for retail, business, hotels, residential institutions, assembly/leisure and motor-trade related car parking standards approved by Planning & Regulatory Committee in January 2012.


4.7 The National Planning Policy Framework (NPPF) 2012 also needs to be considered as it sets out the Government’s planning policies for England and how these are expected to be applied. The chapters of particular relevance in this case are:

Chapter 4 Promoting Sustainable Transport; Chapter 6 Delivering a wide Choice of High Quality Homes; Chapter 7 Requiring Good Design; Chapter 9 Protecting Green Belt Land; Chapter 10 Meeting the Challenge of Climate Change, Flooding and Coastal Change; Chapter 11 Conserving and Enhancing the Natural Environment; Chapter 12 Conserving and Enhancing the Historic Environment; and Chapter 13 Facilitating the Sustainable Use of Minerals.
4.8 The following policies of the Borough of Broxbourne Submission Core Strategy (December 2010) are also of relevance: CS1 Sustainable Neighbourhoods, CS2 Housing Development, CS3 Housing Mix, CS5 Employment, CS6 Retail and Town Centres, CS8 Environment, CS9 Infrastructure, CS10 Planning Contributions.

5. LOCATION AND DESCRIPTION OF THE SITE

5.1 The application site is located on land to the west of Hoddesdon and east of the A10 incorporating land to the north and south of the Link Road between Hertford Road and Lord Street in addition to land to the south of Lord Street.
5.2 The application covers three distinct areas as shown above.

5.3 Area 1 is approximately 21.5 hectares.

5.4 The land is bounded by the A10 on its western boundary and the Link Road on its southern boundary. To the east is the well treed valley of the Woollensbrook which separates the application site from Westfield Road and MSD Pharmaceuticals.

5.5 The area is open grassland containing mature hedges and trees. There are a number of footpaths which cross the site, notably Bramble Lane running north/south which runs through an area of woodland abutting the Link Road.

5.6 The gradient of the site falls from the A10 to the Woollensbrook with a central plateau to the east of Bramble Lane.
5.7 Area 2 is approximately 12 hectares.

5.8 The land is bounded by the A10 on its western boundary, the Link Road on its northern boundary and Lord Street on its southern boundary. The site surrounds the properties in High Leigh Farm and adjacent cottages accessed from Box Lane. The boundary of the site consists of mature hedging and rural fencing.

5.9 The site is grassland used for the grazing of animals.

5.10 There are a number of existing access points both pedestrian and vehicular along the southern boundary of the area with Lord Street, These include Box Lane which gives access to the High Leigh and Bramble Lane which leads to a pedestrian subway under the A10.

5.11 The land is undulating with a fall in levels around Box Lane.

Grassland in Area 2

5.12 Area 3 is approximately 5.7 hectares.

5.13 The site sits between Field End Cottage and West Lodge on Lord Street and extends southwards towards the valley of the Spital Brook. The area has a mature treed boundary fronting Lord Street and is separated from the High Leigh Conference Centre to the east by a wooded valley. There is an open field between the site and the A10 and the valley of the Spitalbrook forms the southern boundary.

5.14 Two thirds of this land consists of a former landfill site which has been capped. Most of the site is grassland used for the grazing of animals.

5.15 The land undulates as a result of the previous landfill operation. There is a sharp slope downwards towards the east just outside the application boundary.
6 RELEVANT HISTORY

6.1 No planning applications for the development of the lands that are the subject of this planning application have been submitted in the past. However; the site has been the subject of extensive promotion for housing by the applicants through the Council’s previous Core Strategy process and previous Council consultation exercises.

6.2 Paragraphs 122 and 123 of the Council’s un-adopted Core Strategy identified that a Site Allocations Development Plan Document would undertake a detailed green belt review of four Areas of Search. The application site was one of those four Areas of Search identified in the submission Core Strategy document. The Inspector conducting the Examination concluded that the proposed Area of Search west of Hoddesdon was a logical area for the consideration of a housing development, commenting that; the Areas of Search and other potential sites are all close to urban areas and have not been seriously questioned as the most suitable locations. However, the Core Strategy was not ultimately adopted by the Council.

7. PROPOSAL

7.1 A planning application has been submitted, with all matters reserved except for the means of access from the A1170 Link Road and Lord Street.

7.2 The following elements are being applied for in outline:

- Housing up to 523 Units (with delivery of a 1FE Primary School) or up to 485 Units (with delivery of a 2FE Primary School);
- A Local Shop (Use Class A1) (up to 370 sq m gross floor space);
- An Hotel (Use Class C1) up to 60 bedrooms including a gym (up to 100sqm) and Restaurant Use Class A3/A4 (up to 370 sqm) or in the alternative B1 commercial up to 1,860 sq m;
- B1 Commercial Floor Space (up to 465 sqm);
- A Residential Care Home (Use Class C2) up to 80 bedrooms;
- A Primary School (including Nursery Provision) (Use Class D1);
- A multi use games area;
- A neighbourhood equipped play area;
- Six neighbourhood greens;
- Allotments;
- Parkland with sporting provision to the south of Lord Street as a prospective extension of Barclay Park to Lord Street;
- Open Space and landscaping: including the protection and enhancement of Bramble Lane and associated woodland and the valley of the Woollensbrook; a landscaped gateway into Hoddesdon, a sustainable urban drainage system; and earth bunding and an acoustic fence along the main road boundaries;
- Sustainable Urban Drainage System;
- Associated Infrastructure (gas, electric and water).

7.3 The application is accompanied by a large number of supporting documents. These include an Environmental Statement, a Planning Statement, a Design and Access Statement, a Transport Appraisal and accompanying parameter plans. The matters covered by these documents are considered within the body of this report.
Illustrative Master Plan with key features highlighted

- School
- Hotel / Shop / Offices
- Neighbourhood greens
- Care Home
- Long-a-bout / pedestrian crossing
- Drainage pond and allotments
- Recreation area incl. Pavilion
- Trim Trail / SUDS
7.4 The primary road access into the development would be from a long-a-bout junction on the Link Road. This would be located 140 metres to the east of the A10 roundabout. This junction would provide access north and south into Areas 1 and 2 which would be serviced by internal distributor roads as shown on the illustrative master plan. A signal controlled pedestrian crossing is proposed to the east of this junction to allow for safe pedestrian movement between Areas 1 and 2. This crossing would join up with a path network that includes Bramble Lane and the valley of the Woollensbrook.

7.5 The main development would not take access onto Lord Street although an emergency vehicle access is incorporated. There would, however, be a new access onto Lord Street to service the recreation ground and the proposed detached houses to the south of Lord Street and one new shared driveway to three new houses on Lord Street.

7.6 The Design and Access Statement describes the proposed development within eight individual character areas that will form the basis for the individual phases. Most of these areas will be residential neighbourhoods set within a high quality landscaped setting and centred around a number of neighbourhood greens. The Statement also sets out the envisaged style of properties which could be built and arranged on the site. Whilst design and appearance are not being considered as part of this application, the houses are likely to be of traditional design. Indicative designs are shown below.
7.7 The applicant has submitted a framework for a Design Code for the development. Based on the principles set out within the Design and Access Statement, the Code will set out in greater detail the proposed designs and materials and quality of finishes for the buildings and the public realm. If the application is approved, the Code would be submitted for the separate approval of the Council before any further detailed permissions are granted.

7.8 The housing is proposed to be a mix of one, two, three, four and five bed properties. The majority will be semi detached or terraced houses. There will be some larger detached houses, primarily in the area south of Lord Street. A limited number of apartments are proposed. Thirty have been indicated.

7.9 Within the development, 20% of dwellings would be designated as affordable housing. A financial contribution would also enable the provision of affordable housing off-site.

7.10 An 80 bed care home is proposed at the main southern entrance into the development.

7.11 The mixed use hub would contain the neighbourhood store which is likely to be an express format supermarket; the hotel, which is proposed to incorporate a gym and a restaurant; a small development of commercial offices and associated parking.

7.12 The proposed primary school would be located on the central plateau in Area 1 and would also be a community focus for the development. Options are provided for this to either be a one or two stream school.

7.13 The application provides for a range of formal and informal recreational opportunities. Provision includes a formal sports ground and pavilion to the south of Lord Street, an equipped play area between the proposed pavilion and Lord Street and a multi use games area which is proposed to be located next to the primary school. The application includes new footpath and cycle links to the public rights of way network. A new riverside walk is proposed along Woollens Brook creating a linear water side path at the bottom of the valley for walking, cycling, trim trails and wildlife habitats.

7.14 Parking is proposed in private garages, parking court yards and an element of on street parking. Whilst an exact breakdown cannot be stated, the significant majority of spaces would be in the form of in-curtilage provision.

7.15 Open spaces and landscaping are shown in strategic areas throughout the scheme in the form of neighbourhood greens and general landscaping. A landscaped buffer would surround the site, incorporating a trim trail and an open SUDS features along the western boundary and landscape acoustic treatment adjacent to the A10 in the form of a bund and fencing. A landscaped gateway is shown on the A1170 Link Road island.
7.16 The applicants have submitted a parameter plan to govern future building heights. Most areas are restricted to a maximum height of 2.5 storeys although this does not mean that all properties within these areas would be to this height. The 2.5 storey limit is aimed at focal buildings within these neighbourhoods. The mixed use hub and the care home are restricted to a maximum of 3 storeys. The houses to the south of Lord Street and those around High Leigh barns are restricted to 2 storeys.

7.17 There would be the necessity to re-grade the land. The applicant had sought permission to establish limits for the amount of re-grading but all ground heights would be subject to reserved matters applications.

8. APPRAISAL

8.1 The application is appraised in relation to the following factors

i. The principle of the development in relation to the Metropolitan Green Belt;

ii. Prematurity;

iii. The proposed uses within the development;

iv. Highways impact, access and parking

v. Other infrastructure

vi. Community facilities

vii. The visual and landscape impacts;

viii. Environmental factors;

ix. The amenity of existing and future residents;

x. The scale and density of the development;

xi. Layout and design;

xii. Management and maintenance;

xiii. Planning obligations

xiv. Phasing and delivery

The Principle of the Development in Relation to the Metropolitan Green Belt

8.2 Policy GBC2 in the Broxbourne Local Plan states that planning permission will not be granted for development other than in the following cases:

- Construction of new buildings for the following purposes:
- Agriculture or forestry;
- Essential small scale facilities associated with outdoor sport or outdoor recreation and for cemeteries;
- Other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it; or
- Limited extensions to alteration or replacement of existing dwellings subject to requirements of policies GBC11 and GBC13

8.3 Development for housing on this site does not accord with this policy.
The National Planning Policy Framework (NPPF), states that, “inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”

Paragraph 88 of the NPPF states “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”

On the 2nd July 2013 the Government released a Ministerial Statement which contained further guidance “Inappropriate development in the green belt should not be approved except in very special circumstances”…”The Secretary of State wishes to make clear that, in considering planning applications, although each case will depend on its facts, he considers that the single issue of unmet demand, whether for traveller sites or for conventional housing, is unlikely to outweigh harm to the green belt and other harm to constitute the ‘very special circumstances’ justifying inappropriate development in the green belt”

This Ministerial Statement together with the guidance within the NPPF is a material consideration in the determination of this application and is to be afforded significant weight. Whether or not this planning application is consistent with the NPPF is therefore dependent on whether very special circumstances are demonstrated.

There is no definition of the meaning of “very special circumstances”. However, in order to give members some guidance on the factors that could constitute very special circumstances, the following are considered to be germane to the consideration:

1. Does the application have characteristics that help the development to clearly outweigh the harm to the purposes for which the Green Belt was designated?

2. Is there a substantial economic need, especially at a national or regional level?

3. Is there a substantial housing need that cannot solely be met within the urban area?

4. Are there substantial cultural, social or community benefits?

Characteristics that Mitigate Harm to the Green Belt

Paragraph 80 of the NPPF defines the five purposes that the Green Belt serves:

- to check the unrestricted sprawl of large built up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other land.
8.9 Whilst it was not adopted, the Council had determined through its pre Submission Core Strategy in 2010 that the west of Hoddesdon Area of Search constituted the most sustainable option for the strategic expansion of Hoddesdon. This did not mean that the Area of Search would have necessarily resulted in the ultimate allocation of this site for development. Three other areas of search had also been shortlisted. However, these were all in the south of the Borough to the west of Cheshunt and no other strategic options were being pursued to the north of the borough.

8.10 The Submission Core Strategy Area of Search did state that the land to the south of Lord Street should remain within the Green Belt. However, this proposal does include six detached houses and the main recreational area to the south of Lord Street. It is considered that this is the most sustainable location for the recreation area (see paragraphs 8.114 to 8.117) and this would be compatible with the Green Belt. It is also considered that six detached houses at a very low density in well landscaped grounds and looking over the recreation ground could form part of a comprehensive development of this area. Whether these would remain within the Green Belt if this application is approved would be a matter for the new Local Plan.

8.11 Provided that the submitted development is built out in accordance with the submitted master plan and the design principles that have been set out, it is not considered that it would constitute unrestricted sprawl. On the contrary, the development is proposed to be a well planned suburban neighbourhood set within a high quality and well treed landscape. Approximately 45% of the site would be retained as open space and the landscaped boundaries of the site will be enhanced. Furthermore, it is proposed to remove a substantial proportion of the overhead power lines. They are visible from the existing urban area and much of the Green Belt environs. Their removal would be of considerable benefit to the Green Belt setting of and approach to Hoddesdon from the A10.

8.12 The boundaries of the development will be strongly defined by natural and man made features that will prevent urban creep. There is no prospect of merging with any neighbouring towns as a result of this development. Clearly there will be encroachment into the countryside and that encroachment is part of the balancing of factors that needs to be taken into account in determining whether special circumstances exist to allow this development.

8.13 The Green Belt Review prepared by Scott Wilson (2008) for the Council ranks land to the north and south of the A1170 Link Road as “medium” performance and defines Woollens Brook and the urban edge of Lord Street as weak green belt boundaries. The Review of the Inner Green Belt Boundary prepared by Prospect Planning (2008) for the Council concluded that the land is visually quite self contained, does not need to be kept permanently open and would support the regeneration of Hoddesdon town centre. The Landscape Character Assessment prepared by Chris Blandford Associates (2008) for the Council observed that the sense of enclosure provided by small patches of woodland is interrupted by an electricity pylon and noise from the A10.
8.14 None of the above Green Belt Reviews give a high ranking to the lands in question. Whilst there is no question that the site is Green Belt, it is considered that the “relatively” low ranking is material to the balancing of the appropriate very special circumstances against the value of the Green Belt.

8.15 It is not considered that there would be any detrimental impact on the historic setting of Hoddesdon. Indeed, there will be no views of the development from the town centre or the conservation area.

8.16 Paragraphs 8.120 to 8.130 consider the wider landscape impacts of the proposed development. This section concludes that the development would be substantially screened from its surroundings and that it would be successfully assimilated into the wider landscape. The enhancement of the environment in which the proposed development sits alongside proposals to create an attractive gateway into the town should if anything enhance the overall setting of Hoddesdon.

8.17 The development would to some extent assist in urban regeneration within Hoddesdon and these are matters that are considered elsewhere within this report. The development would provide for the full remediation of the former landfill and a positive after use for the land to the overall benefit of Hoddesdon residents.

8.18 Overall, it is considered that whilst the development will clearly encroach into the Green Belt, its development would not undermine the fundamental purposes for which the wider Metropolitan Green Belt exists.

**Economic Need**

8.19 The applicants argue that Hoddesdon Town Centre is underperforming and is in need of regeneration, that Broxbourne’s local economy lags behind that of its neighbours and that this development would support both the local and regional economies through construction and longer term job creation.

8.20 The applicant’s Economic Impact Assessment concludes that the scheme would create 61 construction jobs and 172 on-site jobs within the mixed hub and the care home. The Assessment also states that 523 dwellings would expect to generate £3.5 million of local retail expenditure and up to £3.7 million of leisure expenditure. This would potentially support in excess of 100 off site jobs. A funding package to enable the development of local skills and training has also been offered.

8.21 The economic benefits and the potential job creation are welcome. It is also considered that the High Leigh development will have a positive impact on the economy of the town centre through spending growth. Furthermore, financial obligations are offered by the applicant to address the impacts of the development and to assist in the town’s regeneration. However, the applicant’s analysis of Hoddesdon Town Centre is not considered to be correct. On the contrary, the Council’s benchmark surveys have shown Hoddesdon Town Centre to be performing relatively well.
8.22 The foregoing impacts are considered to be primarily of local importance albeit that the development will contribute to the regional economy. Overall the applicant’s economic case is not considered by itself to justify development of this Green Belt site. However, there will be economic benefits and those benefits are considered to be part of the overall justification demonstrating very special circumstances.

**Housing Need**

8.23 The applicants have highlighted that the current Local Plan housing target is out-of-date and that the Council’s calculation of future housing supply is optimistic and likely to dwindle over time given the extended timetable for the preparation of a new Local Plan.

8.24 At any point in time, national guidance states that local planning authorities should identify specific deliverable sites sufficient to provide five years worth of housing against their housing target. Broxbourne’s current target is 262 houses per annum which equates to 1310 new homes required over the next five years. The 2013 Annual Monitoring Report indicated that the Council had a 5.4 year supply of housing land in October 2013. To date, the count has not yet been undertaken for 2014. However, indications are that there will not be a five year supply at the 2014 monitoring date in October 2014. After that time, it is evident that the supply will further dwindle if new permissions do not come forward at the annual rate.

8.25 In order to counter this diminishing supply, it is acknowledged that sustainable Green Belt sites will have to be developed in order to maintain the rolling housing land supply. If the Council does not do this, it will be difficult to resist the development of sites in less sustainable locations and without appropriate infrastructure. Given the presence of the High Leigh site within the Core Strategy, albeit un-adopted, as an Area of Search, its relative sustainability has already been tested against other locations in the borough. The entirety of this report considers the sustainability of the development in more detail. However, it is concluded that the High Leigh Garden Village development would be in one of the most sustainable Green Belt locations in Broxbourne.

8.26 The Government has stated that the single issue of unmet demand is unlikely to constitute very special circumstances and the principle of determining this application should not therefore rest on this factor alone. It is, however, a very important factor in the wider consideration of the very special circumstances case. There is considerable development pressure on Green Belt sites elsewhere within the Borough. Many of these sites are considered to be less sustainable and less comprehensive, with solutions on highway capacity, education provision etc. currently unanswered.

8.27 Approval of this application would provide around two years additional supply of housing land for the Borough which should be sufficient to maintain a five year supply pending the ultimate adoption of the Broxbourne Local Plan.
Cultural, Social and Community Benefits

8.28 The applicants assert that the development will help to meet the need for affordable housing; help to provide for an ageing population and a lack of care accommodation; help to address the mismatch of housing stock and the size and type of dwelling; and that it will provide opportunities for exercise.

8.29 There is a critical need for affordable housing within the borough and this development will provide around 100 new affordable homes and contribute a further £2.5 million to assist with the provision of affordable homes elsewhere within Broxbourne. There is a significant shortage of housing in the Borough with over 3,000 people on the housing register with little or no chance of being housed in a reasonable timeframe. Whilst the offer falls short of the Council’s policy for 40% affordable housing (the reasons for this are set out in paragraphs 8.43 to 8.45), it is considered that some weight should be afforded to this critically important additional supply.

8.30 The Council’s Strategic Housing Market Assessment 2013 recommends two, three, four and five bedroom houses as being most needed within Broxbourne and the Core Strategy had sought an emphasis on family housing. The High Leigh Garden development does seek to address this issue in the mix of housing that is proposed and family houses predominate. Whilst this is a welcome aspect of the development, it can be afforded some weight in terms of a very special circumstances argument but that weight is considered to be limited. A similar conclusion would be recommended in respect of the 80 bed care home which will help to address the needs of an ageing population.

8.31 The development would provide a range of recreational facilities that have been set out in the description of the development. They include almost 19ha of land for Green Infrastructure comprising sports pitches, a new pavilion, a MUGA and NEAP, a new river side walk along the Woollens Brook, a trim trail, gym, allotments and footpath linkages, a range of facilities which would not be possible to deliver as part of the development of small urban sites. Furthermore, a range of section 106 contributions have been offered which would benefit the wider community as well as residents of the development (paragraph 8.211). These are considered to be well planned and they will potentially be available to the wider community. They do add to the overall attractiveness of the development.

8.32 The above factors can be afforded some weight in setting out very special circumstances and these elements would contribute to the overall quality and sustainability of the proposals. However, it is considered that these are elements that should be part of any major development in any location and that they are in no way exceptional. What is considered to be of greater importance in the very special circumstances assessment is the overall sustainability and quality of the development and whether it will make an exceptional contribution to the future of Hoddesdon and Broxbourne. Officers have worked with the applicants over 18 months to endeavour to achieve this aim and the results of those negotiations are evident within this application. Whilst it is in outline, it is considered that if the application is approved, there would be a framework in place to achieve a development of very high quality and that provided this is carried through, the end
result would be a development that would create a sustainable asset for Hoddesdon and Broxbourne. Through the application itself and the obligations that have been offered by the applicant, including the proposed Design Code, there is now considered to be sufficient content to demonstrate that cultural, social and community benefits will be secured to the extent that these could be afforded some weight in demonstrating very special circumstances. Should the application be approved and any of the quality and sustainability principles be diluted or not carried through to implementation then those very special circumstances would no longer exist.

**Conclusion**

8.33 It is a matter of fact that this development is an “inappropriate” use within the Green Belt. The development of 39 hectares of land within the Green Belt would inevitably lead to its erosion in this location and to encroachment into the countryside with the associated visual impacts (see paragraphs 8.120 to 8.130). However, national guidance still allows approval if very special circumstances can be demonstrated. The demonstration of these circumstances is at the nub of determining whether or not the application should be approved in principle. The applicant seeks to justify the proposed development in terms of national support for sustainable development that achieves economic, social and environmental benefits rather than merely boosting the supply of housing; important as this is.

8.34 It is considered that the lands that are subject to this planning application remain the only feasible short to medium term option for a strategic housing development within the Hoddesdon area. They are well contained by topography and by the strategic road network, they are well connected into the town centre and close to major employment areas. They are accessible by vehicles and through the existing and planned path network. They are within Green Belt but as discussed in the foregoing section, the Green Belt in this location is compromised by roads and power lines and does not have a high ranking. Furthermore, the inherent qualities of the site offer the potential to create a high quality, green and attractive suburban residential extension to Hoddesdon.

8.35 Whilst all Green Belt is important, it is considered that the Green Belt in this location has a lesser value than many other Green Belt areas within the Borough. The development proposed will not fundamentally undermine the wider areas of Green Belt around Hoddesdon in that it would have definable and defensible boundaries. The development would contain a large proportion of green space and could be successfully assimilated as a complementary suburban expansion of Hoddesdon without compromising the setting of the town.

8.36 The development would bring economic benefits to Hoddesdon, albeit that, on their own, these do not provide the very special circumstances required to justify development in the Green Belt. However, considered in conjunction with the need to significantly boost housing supply, including affordable housing, and having regard to the package of benefits to be delivered as part of the development, it is concluded that very special circumstances can be shown to exist. Through the development plan work undertaken by the Council over the last few years, the Council has repeatedly acknowledged that there is insufficient land outside the
Green Belt to meet the needs of development in the short to medium term. In the absence of this application being approved, there is a prospect of less sustainable sites elsewhere in the Borough being supported.

8.37 The overall quality and sustainability of the development should also be afforded significant weight. Taken together, it is considered that the sum total of the various benefits set out above constitute a substantive case for accepting the principle of development in this location. If the application is approved and implemented in accordance with the principles set out in the application, it is considered that very special circumstances will have been fulfilled. This being the case, it is considered that enough checks and balances will be attached to the granting of any permission through the imposition of conditions and a section 106 agreement that the Council will be able to maintain control over issues of quality, sustainability and the reasons for supporting development in this Green Belt location.

8.38 **Overall, it is considered that Very Special Circumstances exist to justify the principle of developing this Green Belt site.**

Prematurity

8.39 It has been argued that the allocation of such Green Belt sites should only take place through the adoption of a Local Plan. The prematurity advice in the 2014 Planning Practice Guidance does make provision for prematurity to be used as a reason for refusal where the development proposed is so substantial or its cumulative effect would be so significant that grant of permission would undermine the plan making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan. However, the Guidance goes on to state that refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination.

8.40 Broxbourne does not have an up to date Local Plan and has not at the current time published a consultative document. It is hoped that a draft Plan will be published later in the year. However, this is unlikely to be adopted until late 2015/early 2016. By that time, there is little prospect of a five year land supply being in place.

The Proposed Uses within the Development

8.41 The individual uses within the development are described in paragraphs 8.42 to 8.57. It is necessary to consider the principle of each of these uses individually as well as the development as a whole.

Housing

8.42 The overall principle of housing on this site has been discussed within paragraphs 8.2 to 8.33. There is a wide mix of housing proposed. The precise mix would be determined through subsequent reserved matters applications. However, It is considered that the indicative mix would be consistent with the Council’s Strategic Housing Market Assessment 2013 which indicates that there has been an oversupply of flats/maisonettes with relatively few additional family houses being
provided. The proposed application is considered to reflect the current demand for lower density family orientated housing.

**Affordable Housing**

8.43 Policy H13 of the Local Plan seek 40% of dwellings within a development of this size to be affordable.

8.44 The applicants have submitted a detailed viability appraisal which has been reviewed by the Council’s appointed external assessor. It is considered that the evidence submitted justifies a reduction in the percentage of affordable housing. The applicants have offered to provide 20% of the dwellings on the site to be affordable and a financial contribution towards off site provision totalling £2,530,500. For 523 houses this would mean that 105 would be affordable on site. This is considered to be an appropriate and acceptable proportion given the conclusions of the viability assessment. Furthermore, the emphasis at High Leigh Garden Village is on providing family accommodation in a low density setting and not on providing affordable flats to meet the significant requirement for one and two affordable properties as highlighted within the SHMA. The off site contribution would assist with the delivery of these properties in more appropriate locations.

8.45 Exact dwelling split and tenure has not yet been agreed. However, the viability assessment was undertaken on the basis of 80% of the affordable homes being for affordable rent and 20% in shared ownership. It would be expected that those proportions would be incorporated within a Legal Agreement (see paragraph 8.208).

**Care Home**

8.46 There is an 80 bed care home proposed to the southwest of the site entrance.

8.47 The Councils Strategic Housing Market Assessment shows that over the next 20 years, the population of people over the age of 55 could increase by 36%, with particularly strong increase in population of people over the age of 75. The number of people aged over 85 is expected to double by 2013.

8.48 These population projections support the need for new specialist housing accommodation for the elderly; the proposed care home would go some way to meeting this projected need.

**Mixed Hub**

8.49 The retail unit proposed would primarily cater for the immediate community for everyday items. Its size does allow for Sunday trading. The single shop proposed is considered viable and capable of being supported by the future occupiers of this development. The provision of a shop in this location is considered to be an important component of a new residential neighbourhood of this size. It would help to create a sustainable community and will be a focal point within the community hub. The ability for the shop to trade outside restricted hours on a Sunday is also
considered positive. Given that the shop is integral to the overall development, it is not considered appropriate for the sequential test to be applied in this case.

8.50 With regard to the hotel, there are currently three sizeable hotels in Broxbourne (Travel Lodge, Marriott, De Vere) and a number of smaller bed and breakfast operations. The Council has also expressed ambitions for new hotels in a number of locations around the borough. These include the site of Hoddesdon fire station which has permission for an hotel. The applicants have submitted data from Visit England which demonstrates that if an hotel is developed on the fire station site, the hotels within Broxbourne would still only accommodate 53-73% of potential demand. There is consequently capacity for the proposed hotel. Although the preference would be a town centre location it is recognised that the fire station site presents difficulties with deliverability. The location proposed at High Leigh Garden Village is considered positive and would be a social and economic benefit for both Hoddesdon and the borough in general. It is considered that it should be supported as a positive asset for the overall development of a mixed use neighbourhood.

8.51 To complement the hotel a restaurant/café is proposed. This is considered desirable for hotel business guests. It would also be a desirable addition to the creation of a sustainable community and a focal point within the community hub.

8.52 There are currently seven gyms within the borough. Data submitted by the applicant shows that gym membership rates would justify the provision of a further two gyms. The emerging Council Leisure Strategy states that consideration should be given to new gyms in accessible locations in the borough to meet the current identified shortfall and future demand. It is preferred that these be in conjunction with other sports/community facilities to ensure financial sustainability. The proposed gym is considered to be in accordance with this ambition. The provision of gym facilities alongside an hotel should ensure financial sustainability and thus meet the Council’s aspirations. The provision of a gym would also support the Council’s health and obesity objectives.

**Business Units**

8.53 Within the mixed hub the development proposes up to 465sqm of commercial floor space or 2,325 sqm if the hotel is not developed. It is envisaged that this would provide flexible floor space for small local businesses in a highly accessible location, providing a resource that would be compatible with the town centre, Hoddesdon Business Park and the proposed Business Development Centre. It would be a complementary component of the mixed use hub

**School**

8.54 As set out in paragraphs 8.108 to 8.112, the primary/nursery school is required to provide for the proposed development. The location of the school sits at the heart of the northern residential neighbourhood and would be a focus for the community. The County Council has confirmed that the location and size of site shown on the submitted plans would be acceptable.
Recreation

8.55 Paragraphs 8.114 to 8.119 set out the justification for the proposed indoor and outdoor sporting provision. These are considered to be key components of the overall development. The location of the gym within the mixed use hub is considered to be the most sustainable location for this facility. The location of the sports area on remediated land that has previously been the subject of landfill is a sustainable use for this land. The location of the MUGA adjacent to the primary school is considered to be a sustainable location for this facility. The development also enhances informal recreation opportunities including additional footpath/cycle links to connect the existing public rights of way network and the delivery of a new riverside walk along the Woollens Brook.

Conclusion

8.56 The proposed uses within the development are all considered to be appropriate components of a sustainable mixed use community. The additional housing will be complemented by the facilities offered within the mixed use hub and new school. There will be new recreational opportunities available for all residents as well as promoted opportunities for sustainable travel.

8.57 If it is considered that the overall development should be supported, it is considered that the principle of each individual use within the development is fully justified.

Highways Impact, Access and Parking

8.58 Hertfordshire County Council as Highways Authority is a statutory consultee to the planning application. In assessing the development, the Highway Authority has reviewed the proposals to ensure that the development is in accordance with relevant transport policies and assessed the impacts of generated traffic in terms of congestion and delay and safety, and also to ensure accessibility is supported by sustainable transport measures.

The A1170 Link Road

8.59 The primary access into the site will be from the Link Road as set out in paragraph 7.4. In reaching this conclusion, a number of alternative access arrangements together with the special circumstances that might justify an exemption from the County Council’s policy to restrict the number of new accesses onto its’ primary route network have been considered by the County Council. The County Council concluded that direct access onto the A1170 link road would deliver the following benefits:

- Prevent unnecessary routing of traffic through the urban area and remove the need for major enlargement of existing constrained junctions.
- Access across the Link Road would enable the highest frequency of bus services via a loop service, which would ensure both minimum route length and hence shortest journey times.
8.60 It is also recognised by the County Council that the policy is to restrict the number of new accesses to development from the highest categories of road in the road hierarchy. After assessing the Link Road, The County Council has concluded that it does not perform as a primary route. Furthermore, the County Council considers that special circumstances exist to justify an exemption from their policy to restrict the number of accesses onto a primary route. **No objections are therefore raised to the principle of this access.**

8.61 Three different design options for a proposed access with the Link Road have been looked at.

1. A dumbbell roundabout (two medium sized roundabouts connected by a short, two-way link road);
2. A large, single roundabout; and
3. A traffic signal controlled junction.

8.62 After comparing the respective benefits and deliverability of the proposals and taking into account the outcomes of modelling work, the dumbbell roundabout design was considered to be the preferred option. A subsequent Safety Review of the design in 2013, led to further refinement of the design into a dumbbell shaped “longabout” with an adjacent at grade signal operated toucan crossing. No decision has yet been made as to whether the crossing will be sensor operated or push button.

8.63 The applicant’s proposals include the introduction of a 50mph speed restriction on the A1170 Link Road in support of the implementation of the at grade toucan crossing. A Traffic Regulation Order (TRO) will be required to implement the proposed speed limit.

8.64 Following the public meeting on 14th July, the County Council and the applicants have been asked to confirm that the traffic modelling takes account of HGV’s travelling at low speeds westwards on the Link Road and having to stop at the longabout. It has been confirmed that the traffic model does contain the appropriate amount of HGV’s and that it takes account of lower speeds in this location. In addition, HCC has confirmed that it has taken account of the needs of the needs of the emergency services in making its comments.

**Lord Street**

8.65 The Highways Authority is satisfied in principle with the new accesses being created onto Lord Street. It is also satisfied with the provision of the emergency access.

**Off–Site Highway Works:**

8.66 The following off-site highways works are included in the proposals to mitigate the impact of the new traffic generated by the development on the local road network by introducing additional capacity to the junctions.
• Widening of the Hertford Road / Ware Road roundabout approach from the west to 2 lanes and kerb re-alignment on the northern approach;
• Provision of a 3 lane flare on the western approach to the Sun roundabout;
• Formalisation of the 2 lane approach to the Essex Road roundabout and re-aligning the kerb line to improve transition through the same approach.

8.67 The County Council has assessed these works and confirmed that they can be implemented within the confines of the highway.

*Impact of the Development on the Wider Highway Network*

8.68 A Paramics micro simulation model has been created to assess traffic impacts of this development upon the local highway network. The model has been used for the following purposes.
• Assess the routing of development traffic away from the site;
• Establish junction and highway link capacities and their effectiveness in relation to the amount of traffic routing through the network;
• Identify changes in traffic flow, queue lengths and journey times on key routes and at key junctions;
• Assess drivers’ behaviour and how they adapt to the prevailing road conditions i.e. avoidance of congestion;
• Inform the design and assessment of highway improvements.

8.69 In order to create the model data collection was carried out by a specialist traffic survey company, Nationwide Data Collection, between the 11th and 17th July 2012. Additional automatic traffic count data was purchased from HCC to model the A10 traffic flow. The data has been checked and approved by the Highway Authority.

8.70 In understanding the developments impact, the applicant submitted models to show the following scenarios:
• No development, year 2022 (both am + pm peak periods)
• With development, no mitigation measures, year 2022 (both am + pm peak periods)*
• With development, with mitigation measures, year 2022 (both am + pm peak periods)*

8.71 The new 'at grade' signal controlled pedestrian crossing proposed has been factored in.
Impact of the Development upon the Key Junctions

A10 junction / A1170 Link Road / HLGV site access

8.72 Models show that minimal queuing occurs at these locations, with a maximum of 11 queued vehicles on the westbound arm of the A.1170 when the development and mitigation measures are built. This compares to 6 cars on the same link in the AM peak if there was no development. The County Council state that this increase does not have any impact on the free of flow traffic.

Sun Roundabout

8.73 If no development was to take place in 2022 the Sun Roundabout would experience minor to moderate queuing (max 15 vehicles) on most arms with the exception of the eastbound A10 Link Road, which experiences heavier queuing in the PM peak (typically 48 vehicles).

8.74 This compares to 2022 with development and mitigation which shows a slight increase in queuing on most arms (additional 6), with the exception of the eastbound A10 Link Road, where queues on this arm are reduced from 48 to 19.

8.75 Conversely there is a moderate worsening in queues on the westbound A1170 Link Road to 25 vehicles (additional 15). However, the County Council does not consider this increase to be significant and does not impact the previous junction.

Essex Road Roundabout

8.76 The Essex Road approach to the roundabout, where it meets the A1170, currently experiences some queuing during the peak hour. With the development and mitigation, queues on this arm worsen slightly (additional 7) in the AM but queues remain the same in the PM peak.

8.77 The increase in the AM has little impact as the queues are minimal during this period, whilst the development shows no adverse effect on the existing PM queue.

Lord Street / Mangrove Lane

8.78 Given that the primary access into the site is from the Link Road, the County Council is satisfied that there will not be any significant increase to traffic along Lord Street as a result of this development, or further afield through Mangrove Lane. Speed limits on Lord Street will remain unaffected.

A10 Southbound including Church Lane and College Road junctions

8.79 The A10 south of the development site experiences problems with congestion at key junctions during the peak periods. Specifically the A10 / Church Lane junction and the A10 / College Road junction are both close to capacity at these times. As such, the Highway Authority requested that the developer consider the impact of the development on these junctions.
8.80 Data demonstrates that 30 additional vehicles at both the A10/Church Lane junction and A10 / College Road junction, will be created in both the morning and evening peak hours. This represents less than a 2% increase in current flows at these junctions.


Conclusion

8.81 The Transport Assessment and the supplementary information produced by the applicant and assessed by the Highway Authority demonstrate that the additional vehicle trips generated by the development can be accommodated by the local highway network, when the highway capacity improvements proposed at key junctions as part of the package of mitigation measures, are taken into account. The residual cumulative impacts of the development are therefore not ‘severe’ in transport terms in the context of the NPPF.

8.82 Comparison between the ‘without development’ and the ‘with development plus mitigation measures’ traffic modelling demonstrates that the development does not result in significant increases in queuing or delay at the main road junctions within the town. In fact some junction approaches experience a capacity benefit. The morning peak hour experiences less congestion and delay than the evening peak hour and this is evidenced by the average journey times through the model network being lower in the morning peak than the evening peak.

8.83 Westbound traffic on the Link Road on the approach to the Sun roundabout does experience an increase in queuing on the approach to the Sun Roundabout in the PM peak with the development, however, the maximum increase is predicted to be of the order of 15 vehicles. This level of additional queuing is not a ‘severe’ impact in NPPF terms.

8.84 The modelling confirms that the development does not exacerbate the congestion currently experienced at the Essex Road junction. Neither do the proposals provide any relief at this location.

Safety of the network

8.85 Given the volume of traffic along the sections of highway described above, the statistics do not demonstrate a level or severity of accidents which are disproportionate to the amount and type of vehicles using them. A review of Personal Injury Accidents records confirms there are no hazardous sites within the direct vicinity of the High Leigh Garden Village Development, and the design of proposed new and amended junctions/accesses have all been subject to safety assessments, and meet current highway design standards.

Streets within the Development

8.86 There are four different types of street proposed within the development.

Avenues – Used for key linkage routes between the Link Road and neighbourhood greens. Avenues will have a minimum carriage width of 5.5m widened to 6.75m where necessary to allow for bus access. They will have 2.5m wide landscape
strips on both sides separating the foot paths from the road. Distances between houses on either side of the avenues would typically be between 20 and 23 metres. Front gardens would have a minimum depth of 3m.

*Residential Streets* – Used for more general routes off the Avenue into the development areas. Residential streets would generally have a minimum carriage width of 4.8m. They will have a 2m wide landscape strip on at least 1 side separating the foot paths from the road. Front to front house relationships would typically be between 14.5 and 16m. Front gardens would have a minimum depth of 2m.

*Shared Surface Lanes* – Shared surface with pedestrian priority. These would be a minimum width of 4.1m with additional width for demarcated parking spaces. Front to front house relationships would typically be between 10.5 to 12m. Front gardens would have a minimum depth of 1.5m.

*Landscape Frontage Lane* – These would be used where development edges front landscaped open space. The street width would generally be 3.3m with local widening for passing places but no on-street parking to help protect openness. Front gardens would have a minimum depth of 3m.
8.87 Together the four street types would allow for variation throughout the development while at the same time accommodating car parking in a considered manner. Parking bays would be identified through clear delineation and changes in surfacing material.

8.88 The exact road layout and details would be considered as part of reserved matters applications.

8.89 It is considered that the proposed street types set out in the foregoing would be appropriate and that they provide a framework for the creation of the “garden village”.

**Access for Pedestrians and Cyclists**

8.90 The walking and cycling strategies need to provide a joined-up approach to ensuring travel modes are planned together to help reduce congestion, improve health and reduce pollutant emissions.

8.91 The existing public right of way known as Brambles Lane would remain on its current alignment; however, a minor diversion will be required to accommodate the main entrance off the Link Road into the site. A vehicular crossing would need to be created to the south of the existing subway passing over this right of way so as to enable access to the land that wraps around the existing bowls club.

8.92 Footpaths dissect the development along streets as described above in addition to routes through more open undeveloped areas. The routes shown on the master plan demonstrates multiple links between housing, the primary school and community hub in addition to providing access between the areas 1, 2 and 3 and areas of recreation and public open spaces.

8.93 The applicants have undertaken an audit of existing routes from the proposed development to the main local destinations suitable for walking and cycling with the objective of identifying any deficiencies in those routes. Consequent improvements have been designed to make walking and cycling journeys safer and more attractive.

8.94 Improvements are proposed for cyclists between the development and Broxbourne Railway Station. Two routes have been identified which are common until Upper Marsh Lane. The preferred route then follows the Osbourne Road footpath and New River Footpath whilst an alternative route follows Osbourne Road and
Churchfields. Proposed improvements include the upgrade of the existing pedestrian crossings and the upgrade of the New River footpath for cycle use.

8.95 Improvement of pedestrian routes to the town centre is also proposed. Routes from both the northern and southern sections of the development would use Lord Street for some of their length. To the west of the Bowls Club on Lord Street the width of the footpath is relatively narrow and it is proposed that encroaching vegetation is trimmed back to reinstate full clearance along the footway between Box Lane and the Bowls Club and the surface of the footway repaired where it is sub-standard. Opportunities for widening the footpath across the Bowls Club frontage are also being considered.

8.96 From the northern part of the site a new footbridge would be provided from Paddick Close into the site. The existing steps approach from Paddick Close would also be improved. The remainder of the route from the northern part of the site to the town centre via Langley Road is already well provided for via the existing footpath that links Westfield Road with Langton Road.

8.97 A pelican crossing is already provided across Taverners Way at the eastern end of High Street and a direct and traffic-free link is available from Taverners Way to the High Street providing access to the central shopping area.

8.98 Both the pedestrian and cycle routes to the station and to the town centre (via Lord Street) would be way-marked by appropriate signing.

Bus

8.99 A new bus service is proposed as part of the proposals. The service would run at a 30 minute frequency linking the site with Hoddesdon town centre and Broxbourne railway station and also stopping close to Sheredes Primary and Secondary schools in addition to St Catherine’s, St Augustine’s and St Cross Primary schools. It would provide an alternative mode of travel to access education facilities as well as the local health, retail and personal business opportunities within the town.

Parking

8.100 Most parking spaces would be accommodated within house curtilages – either within garages or driveways. However, there would also be on-street parking and the street types described above enable the provision of delineated parking bays interspersed by trees and landscaping. The intention would be to ensure that cars do not dominate the street environment.
8.101 Although this application is in outline, an assessment has been undertaken to test the number of parking spaces that would be provided within the applicants’ master plan. As a result, it is considered that sufficient parking for the development could be achieved in accordance with Local Plan Policy TR11 and to meet the requirements of the Council’s interim policies on car parking. Further assessment would have to be made during future reserved matters to ensure that each application meets parking policy.

Other Infrastructure

**Sewerage / Water / Gas / Electricity**

8.102 The principal service corridor into the site will be from Hertford Road to the north through land that is in the applicant’s ownership. Gas, water and electricity will brought in from this point.

8.103 Thames Water has confirmed that the entirety of the development can be serviced from the water main within Hertford Road. If the applicants wish to service the southern part of the development from the water main in Lord Street, there is sufficient capacity from the existing main to service phase 1 of the development (see paragraph 8.216). Any further houses will necessitate the up-grading of the main within Lord Street.
8.104 The applicants have advised that the development would be sewered through Lord Street which is likely to necessitate the need for pumping from large parts of the development. Sewage will ultimately drain to Rye Meads Sewage Treatment Works. Thames Water advises that the sewerage infrastructure capacity in the area is acceptable and raises no objection.

8.105 In terms of electricity and gas, National Grid has submitted a standard response noting that they have apparatus in the area. No objections are raised.

8.106 No formal consultation has been received from Transco with regards to gas provision. However, the applicants have stated that the development will be serviced with gas.

**Pylons**

8.107 During the application the applicant has proposed that the high voltage electricity cables which currently cross the application site are to be buried underground from Bramble Lane to the south of Lord Street. It is considered essential that these works take place because of the advantages this offers to the overall design and layout of the scheme, the amenity of residents and the mitigation to the Green Belt.

**Community Facilities**

**Education – Primary Schools**

8.108 The nearest primary schools to the site are Westfield (1 FE), St Catherines (1.5 FE) and Roselands (1.5 FE). The County Council has advised that these schools are either full or almost full for the foreseeable future and that there is insufficient capacity across Hoddesdon for children from this development. The County Council consider that 523 dwellings would equate to 1 FE peak demand and request that land and funding is made available through the S106 Agreement for new school facilities. The County Council’s preferred model of provision is a 2FE primary school for reasons of effectiveness and viability; however the scale of development only justifies a 1FE in this instance. This being the case, officers have agreed with the applicants that a site be allocated for a 1 FE primary school which would be transferred for this provision at nil cost. A second adjacent area has been allocated to enable the provision of a 2 FE school. If the County Council wishes to exercise this option, the land would have to be acquired at residential value. The applicants have confirmed the land could be made available immediately following the Link Road junctions, if the County Council required.

8.109 Negotiations are on-going regarding the timing of the delivery of the site(s) for the primary school and its procurement. It is currently envisaged that the school would open at year 3.5 following commencement of the development. Funding issues are discussed in paragraph 8.214.

8.110 Acknowledging that until the school is delivered some children would have to be found places in local schools the County Council also request that a financial contribution be made to assist with this process.
**Education - Nursery and Pre School Provision**

8.111 Within the primary school, the County Council is seeking the provision of a 30 place nursery class and this is being accommodated. In addition the County Council is seeking a 30 place facility for pre-school and related activities. Contributions are sought towards the provision of these facilities (see paragraph 1.15). Whether or not it is appropriate to provide for these facilities from the contributed sum and if so where they would be located would be resolved through the detailed design of the development.

**Education – Secondary Schools**

8.112 The County Council anticipates that sufficient secondary school places at the three schools in Hoddesdon will not be available from 2019/20. However, sufficient site capacity is expected to be found within the local secondary schools to absorb the impact of this development. In order to help fund this expansion programme, a financial contribution is sought (see paragraph 8.210).

**Health**

8.113 NHS England has advised that there is insufficient space within the Hoddesdon and Broxbourne surgeries to accommodate the development. However, it should be noted that this advice had not factored in the prospective re-location of the Amwell Street practice to Fawkon Walk which will have double the amount of floor space for health facilities currently available to that practice. Notwithstanding this, NHS England still consider that it will be necessary to reconfigure both the Limes Surgery and the Park Lane Surgery to accommodate the expanding needs of Hoddesdon. NHS England has therefore sought a financial contribution towards the reconfiguration of these facilities. The applicants have indicated that such a contribution would be acceptable to them.

**Outdoor Recreation**

8.114 Facilities for outdoor recreation are provided on site through the following facilities:

- Formal sports area and new pavilion to the south of Lord Street;
- A multi use games area adjacent to the primary school
- A neighbourhood equipped play area adjacent to the main recreation area
- A trim trail containing outdoor exercise equipment along the Woollens Brook corridor

8.115 These facilities have been discussed with the Council’s Leisure Services and are considered to be appropriate. Sport England has also stated that it is satisfied with the outdoor recreation provision subject to conditions ensuring quality.

8.116 It is proposed that the above facilities would all be adopted by the Council. The means of adoption will be set out within the legal agreement. If the application is approved, the Council may decide to engage with a sports club to manage or help it to manage the main recreational area. However, as things stand, it is intended that once improved, this would be transferred to the Council on a long lease.
8.117 Members should note that there is no specific provision for toddlers play. However, it is envisaged that the “village greens” would provide a focus for supervised outdoor play for younger children. It should also be emphasised that most of the proposed dwellings will have garden provision.

**Indoor Recreation**

8.118 The indoor provision within the site consists of the gym within the mixed hub. This would be a private facility albeit that it is intended that this will be available to non hotel guests.

8.119 This Council and Sport England have sought financial contributions in lieu of further on-site indoor recreational provision. The applicants have agreed to an appropriate contribution (see paragraph 8.211).

**The Visual and Landscape Impacts**

**The Wider Landscape Impacts**

8.120 The impact of the overall development on the landscape would be limited by the relative absence of public views of the lands in question. The main impacts would relate to:

1. The proposed perimeter bund which would screen views from the A10, the west end of the Link Road and views from the Lord Street bridge and beyond;
2. Views from Lord Street;
3. Views from Westfield Road and Hertford Road; and
4. Views from the Link Road

**The Landscaped Bund**

8.121 Proposed along the western boundary with the A10 and wrapping a short distance east along the Link Road is an earth bund and acoustic fence. While it is acknowledged that the bund would reduce the distant views of the open landscape from within the development, it will also screen views of the development from further afield.

8.122 The bund and acoustic fence would be 6m high in total (3m bund, 3m acoustic fence) along the western boundary tapering downwards to the Link Road longabout.
A view from A10 roundabout eastwards with new bund in place

8.123 Cross sections and landscape illustrations have been submitted during the application to demonstrate that the bund/acoustic fence would be substantially screened with trees, under-storey planting and grass to mitigate its wider landscape impact.

8.124 The bund would have graded sides so as to allow larger trees on its lower slope and a grassed bank on the upper slopes. At its base, the bund would be approximately 7.4m wide, at its peak approximately 2.5m wide.

8.125 In the north west corner of area A the bund would require significant groundwork to enable the acoustic properties of the bund to be achieved. This would require up to 10m of ground re-profiling. Provided that the internal slopes are well landscaped, this re-profiling is considered to be acceptable.
Views along Lord Street

8.126 Lord Street would retain its character as a wooded lane. A new access drive would be created to serve three properties adjacent to Box Lane and this would require limited removal of landscaping. The emergency access would also puncture existing hedging, but would not lead to significant loss. Both these new entrances are considered characteristic of existing driveways and farm openings found on Lord Street.

8.127 Along the northern Lord Street Boundary, existing hedging is to be retained with housing behind. Houses could be viewed but would be set well back from the street. To the west of the development site along Lord Street, new hedging is to be planted where there is currently a picket fence to screen houses.

8.128 The proposed houses to the south of Lord Street would be set well back from the boundary behind landscaping. Views of these properties would be limited to glimpses through hedging and trees.
The Westfield area would look across and down into the new development. Once landscaping has matured, the skyline would be dominated by trees - as shown in the image below. The tree-lined streets together with neighbourhood greens would ensure that the view is not one of an urban mass; instead it would be of a well design development punctuated by landscaping.

View from existing Hoddesdon housing looking west across site

Views along the Link Road

The main views from Link Road will be from the entrances into the development. Both the northern and southern entrances are designed to be well landscaped gateways into the development with feature gateway buildings to the rear. Along the eastern section of the Link Road, there would be glimpsed views of the development through landscaped boundaries. These relationships are considered to be acceptable.

Impacts within the Development

Most of the development would be formed of detached and semi-detached houses with gardens within a generously landscaped setting of streets and open spaces. Approximately 45% of the overall application site will remain undeveloped.

Gateway locations would be created at the main entrances from the link road. Away from these, the development would be generally inward focussed away from the A10 and the Link Road from which it would be separated by the landscape bund.

The roads shown in the indicative layout take advantage of the natural contours and provide varying views for those travelling along them. They would be tree lined and would provide interconnections between the green spaces to help create a verdant development. Garages are well set back helping to emphasise the gaps between houses when viewed from the street. This lends itself well to the overall vision of a “Garden Village”, as the breaks in the frontages will allow views through and emphasise the overall landscaped setting.

In the interest of retaining this character of the development, a proposed condition would remove permitted development rights to ensure that house extensions are not undertaken without planning approval.
Open areas

8.135 The open areas consist of neighbourhood greens, green corridors with ponds and swales, and the formal sports area along with areas of landscaping throughout the development. The design of these areas would all be subject to reserved matters applications.

8.136 The formal sports ground would create a transition between Barclay Park, the Spital Brook and the development edge, creating a soft and attractive southern boundary to the development.

8.137 The neighbourhood greens would punctuate the development in strategic areas offering relief of built form but also attractive landscaped areas to enjoy on an informal basis.

8.138 The ponds and swales will form part of the functional landscaping throughout the development. They would provide a connection between the built form and the surrounding linkages but also areas for exercise and recreation. These areas would be rich in landscaping complementing the natural woodland within and bounding the application site.
Typical View through Linear Park

View of formal sports area to the south of Lord Street
8.139 In conclusion, the development would be substantially screened from its surroundings. Where views would be available they would be of a very green, tree dominated development once the landscaping has fully matured. Overall, it is considered that the proposed development would be assimilated into the wider landscape and townscape and that it would not have a detrimental impact on the western fringes of the town.

Environmental Factors

Flood Risk / Surface Water / SUDS

8.140 The NPPF steers development away from areas which experience flood risk and promotes the use of Sustainable Drainage Systems (SUDS). It states that local authorities should prevent both new and existing developments from contributing to, or being put at unacceptable risk of, water pollution. Development should be avoided in areas at highest risk of flooding.

8.141 In designing the SUDS drainage, the applicants undertook extensive pre-application discussions with officers of this Council, Herts County Council, Thames Water and the Environment Agency.

8.142 The overall drainage strategy for surface water would involve the creation of a network of ponds and swales alongside the course of the Woollens Brook and alongside the course of the brook to the west of the High Leigh Conference Centre that feeds into the Spital Brook. Measures to manage the flow of water into these ponds and swales will be incorporated within individual development areas. These are annotated on the Parameter Plans. The basins are to be lined with low permeability material or lining to ensure the base of the ponds do not penetrate through natural strata.
The Environment Agency is satisfied with the overall drainage proposals but wishes these to be incorporated within a detailed drainage strategy for the entire development. That would be required by condition to be submitted to the Council for approval prior to the commencement of any development.

The majority of the Site lies outside areas susceptible to flooding. However, there is a section within the flood plain associated with Woollens Brook. No built development will be constructed within the flood plain and no strategic ground raising within these areas is required or proposed as part of this development. The development will not have a detrimental impact on flood risk.

The Environment Agency considers that planning permission could be granted for the proposed development as submitted subject to appropriate conditions. Overall the mitigation methods proposed are considered sufficient to allow development of this site without risk of flooding or unacceptable impacts upon drainage. However, it is considered that a more detailed drainage strategy would be required for the whole development before any house building takes place.

Ground Levels

The proposed development will require extensive cutting and filling to create workable land levels and the drainage basins will also involve ground excavation. However, it is considered that the amount of cut and fill would be normal for a development of this scale and no major issues would be expected to arise from levels proposed in subsequent reserved matters applications.

It is not considered that there would be a major requirement for the importation of materials to make up ground. The applicants have advised that they are seeking to achieve a balance of cut and fill across the entire site.

Contamination

The site contains two historic landfills which are shown within the Environmental Impact Assessment.

The first is located off Bramble Lane. In 1960 a gravel extraction pit was worked to facilitate the development of the A10, which was subsequently in-filled by 1989 with ground/inert fill/degradable waste to a maximum depth of 6.4 metres below ground level. The majority of this area is beneath the A1170 Link Road. The new long-about will also be constructed over this landfill and construction details would have to be agreed with the County Council who would adopt the road. The amenity areas of the care home and some houses pinch into this area. If the proposed buildings are affected, a piling foundation solution would be required. These would be subject to the approval of the Environment Agency.

Within Area 3 to the south of Lord Street, there is a second disused sand and gravel extraction pit which was subsequently in filled with degradable waste to a maximum depth of 6.5m. Groundwater sampling in 2008 and 2009 indicated that pollutants from this landfill were impacting on the Spital Brook. A watching brief would be employed to monitor any contamination migrating from the landfill during
construction and a system would need to be put in place to control and manage any contamination found.

8.151 Houses would not be located on this landfill. However the proposed sports pitches and pavilion are.

8.152 The applicant has submitted an engineering appraisal confirming that the pitch is deliverable to Sport England standards. The principal risk to provision is future compression and settlement of the landfill material. There are a number of different techniques which are considered feasible.

1. Vibration techniques.
2. Dynamic Compaction.
3. Excavate and compact in layers.
4. Surcharge.

8.153 In addition to one of the above techniques some surface treatment will also be required. It is likely that this will take the form of a geogrid reinforced granular layer to further reduce the surface expression of localised areas.

8.154 The full implications of locating the Pavilion on the edge of the landfill need to be fully understood and mitigated against before the Council commits to its implementation. However, indications are that the structure can be built in the proposed location. The proposed legal agreement would ensure that there is an appropriate site for the Pavilion and that any extraordinary costs were covered by the applicants.

8.155 Both areas of in filled waste were monitored and results identified the presence of ground gas (methane and carbon dioxide). The monitoring programme concluded that the area in the central portion of the site may be possible to develop on without the need for gas protection measures however the landfill located in the southwest of the Site south of Lord Street may not be suitable for a standard residential development without further gas risk assessment. A 12 month period of monitoring was completed in 2008/9. It is accepted that a further period of monitoring is required so that specific requirements for structures can be realised. Appropriate gas protective measures are to be included for building design and construction on those properties affected.

8.156 Development around the areas of Landfill will require mitigation to ensure there is no contamination of soils and or water egress. This should be done in consultation with the Environment Agency.
Air Quality

8.157 The Environmental Impact Assessment considers the construction and post development positions.

8.158 It is predicted that up to 250 construction vehicle movements per day might be realised from the development. These should be largely confined to the A10 and the top end of the A1170 Link Road. The EIA sets out a detailed list of mitigation techniques to minimise impacts upon air quality during the construction phase. These would be contained within a Construction Management Plan which would be required by condition prior to the commencement of development. With mitigation in place, the impacts from dust and ecological effects are considered to be negligible.

8.159 Post development air quality has been tested by the use of a dispersion model. This predicts NO2 and PM10 concentrations that would occur at a number of relevant receptor locations as a result of the changes in traffic flows and vehicle movements associated with the proposed development. Receptors included both proposed houses and those houses in and around Kennedy Avenue, Winterscrot Road and at the base of the Link Road.

8.160 The results show that the proposed development would cause imperceptible to small change in annual mean NO2 and PM10 concentrations and either a no discernible or negligible change in daily mean PM10. **Pollutant concentrations are predicted to meet the relevant statutory objective levels at all existing sensitive receptors considered.**

Noise

8.161 National guidance on noise was previously provided within PPG24. This has been superseded by the NPPF and the recently published Planning Practice Guidance. These state that local planning authorities should take account of the acoustic environment and in doing so consider:

1. Whether or not a significant adverse effect is occurring or likely to occur;
2. Whether or not an adverse effect is occurring or likely to occur;
3. Whether or not a good standard of amenity can be achieved.

8.162 For the purposes of this development, PPG24 has been used as the benchmark whist recognising that this is no longer adopted policy. This broke down noise into four noise emission categories (NEC’s) as follows:

<table>
<thead>
<tr>
<th>NEC</th>
<th>Day</th>
<th>Night</th>
</tr>
</thead>
<tbody>
<tr>
<td>NEC A</td>
<td>&lt;55db</td>
<td>&lt;45db</td>
</tr>
<tr>
<td>NEC B</td>
<td>55-63db</td>
<td>45-57db</td>
</tr>
<tr>
<td>NEC C</td>
<td>63-72db</td>
<td>57-66db</td>
</tr>
<tr>
<td>NEC D</td>
<td>&gt;72db</td>
<td>&gt;66db</td>
</tr>
</tbody>
</table>

Db = decibels
NEC A is a level of noise which need not be considered as a determining factor when dealing with a Planning Application. NEC B is a level of noise that should be taken into account but consider conditions to ensure adequate protection against noise intrusion. NEC’s C and D represent a level of noise meaning that planning permission should not normally be approved (unless considered necessary) up to planning permission should be refused.

8.163 The noise climate at High Leigh Garden Village would be dominated by road traffic from the A10 and the A1170 Link Road. If no mitigation were provided, noise arising from these corridors would be a major problem for inhabitants of the new development. An acoustic bund and fence is therefore proposed around the affected perimeters of the Site.

8.164 With the bund and fence in place, all receptors within the site would fall within NEC A or B. For those properties closest to the A10, some form of mechanical ventilation is also likely to be proposed within reserved matters applications if this application is approved. The Council’s Noise Assessor raises no objection subject to conditions.

8.165 It is inevitable that during construction there will be increased levels of noise and disturbance. Careful mitigation techniques would avoid unnecessary noise intrusion for existing occupiers through construction periods. These would be contained within the aforementioned Construction Management Plan.

8.166 **In conclusion it is considered that a good standard of amenity would be achieved through the implementation of good design and mitigation.**

**Ecology**

8.167 The application site is close to the Hoddesdon Park Woods North SSSI (Site of Special Scientific Interest) and the Hoddesdon Park Woods SAC (Special Area of Conservation). Natural England does not raise any objection with regard to this scheme’s impact upon either site.

8.168 The Herts and Middlesex Wildlife Trust (HMWT) have provided a detailed response with regards to ecology. HMWT considers that the ecological surveys undertaken and the methodologies followed are appropriate and the surveys allow the planning authority to make a robust decision on the outline application, in full consideration of the impacts on protected and priority habitats and species and the ecological network.

8.169 In terms of the ecological surveys, the HMWT note the surveys indicate the following.

- Bats – roosts and at least 6 species recorded foraging and commuting;
- Badgers – disused outlier setts identified, and habitat of potential foraging value;
- Nesting Birds – nesting habitat available;
- Invertebrates.
8.170 This list also broadly corresponds with species witnessed by residents.

8.171 The HMWT considers that mitigation should be sought against the threat of harm to the ecological network as a whole. The development should furthermore seek to enhance the ecological network and opportunities for wildlife through habitat creation and restoration and ongoing management. This development should deliver an overall biodiversity gain.

8.172 The extensive list of mitigation measures highlighted in consultant documents are welcomed by the HMWT, which suggests that these could be controlled by way of a Planning Condition. This is considered to be appropriate.

8.173 In terms of arboriculture, a tree preservation order has been put in place to cover the entirety of the application site so that trees cannot be felled without the permission of the Council. The applicants’ indicative master plan shows that some trees on site would inevitably have to be removed for the construction of roads where they break through existing tree belts. These would be subject to subsequent reserved matters applications. The majority of trees that would be removed are semi mature and not considered to be significant visually. There are two exceptions – a mature pine and oak where one of the avenues breaks through the belt of trees to the north of the proposed mixed use hub. It is considered that this is unavoidable with the proposed road layout which has been designed to minimise impact on existing trees and woodland. It should be noted that the development will contain considerable tree planting which would more than compensate for the loss of some trees.

8.174 The Councils Arboriculture Officer comments that the proposed tree planting within the development will need to be looked at in detail regarding the species to be planted and the detailed locations. Planting methods and maintenance regimes would also have to be considered as well as the Highway Authorities requirements regarding trees within verges that are likely to become adopted in future.

**Archaeology**

8.175 The EIA concludes that there is a low overall risk of encountering archaeological features and deposits dating to the early prehistoric, Iron Age and medieval periods. The risk for the later prehistoric and Saxon periods is also low overall, except in an area to the west of High Leigh Barns, where finds of pottery that could date to either of these periods increases the risk for both to moderate. The risk for the late Iron Age and Romano-British period is low for areas within the northern field and south of Lord Street, and moderate for the southern field. The risk for the post-medieval period is low for the field south of Lord Street, moderate for the northern field and high for the southern field.

8.176 No evidence as to the presence of high concentrations of archaeological remains of any period was encountered during site investigations carried out prior to the application being submitted. The County Archaeologist agrees with the conclusion generated and has requested that a mitigation strategy based on preservation by record would be appropriate, secured through a standard archaeological condition.
Scale and Density

8.177 The applicants have applied to build up to 523 houses. This figure has emerged from the evolution of the indicative master plan which accompanies this application. It is a much reduced figure from that originally envisaged by the applicants. If this application is approved, the applicants will still have to ensure through the submission of reserved matters that the principles of design and layout established within the Design and Access Statement and the application of the Council’s own guidance can be achieved. However, it is considered that the figure of 523 (with one stream primary school) represents a robust number for consideration of this outline planning application.

8.178 In terms of density, 523 houses would be located on approximately 18 hectares of land equating to a net density of approximately 29 dwellings per hectare. This is considered to be an appropriate density for the nature of development proposed.

Layout and Design

8.179 Approval is not being sought for the layout of the development or for the detailed design of buildings and the public realm. However, in considering the principle of this development, it is essential that the Council receives assurances on the type of development that would result. The Design and Access Statement sets out the vision and design intent for a high quality development and sets out the parameters for achieving this vision. This vision is manifested in the indicative Master Plan which is incorporated at the front end of this report.

8.180 High Leigh Garden Village would be defined by distinct neighbourhood areas, each with a focal green. The illustrative layout is based on eight principal character areas:

1. Lord Street Frontage East – low to medium density housing, predominantly made up of detached and semi detached housing. There is potential for small rows of terraced houses closer to the entrance of the site from link road. 84 units proposed @ 30dph, 2-2.5 storeys in height.
2. High Leigh Farm – Low density detached and semi detached housing. Landscape buffer around High Leigh Barns. 41 dwellings proposed @ 24dph, max 2 storey.
3. Lord Street Frontage West – Lower density comprising detached and semi detached houses with potential for terraces facing green space. 88 dwellings proposed @ 27dph, predominantly 2 storey, 2.5 storey at focal points.
4. Park View – lowest density detached houses. 6 houses proposed @ 10dph, max 2 storey.
5. Care Home – single block of 80 apartments proposed 2 to 3 storeys in height.
6. Mixed Use Hub – This area would contain the full range of building and dwelling types, including detached, semi-detached and terraced houses with potential for apartments. It would also contain the hotel, shop and commercial units. 87 dwellings proposed @ 38dph, 2 to 3 storeys in height.
7. Woollens Brook Corridor South – a mixed area that would contain housing and school. 103 dwelling proposed @ 27dph, 2 storey with 2.5 storey at focal points.
8. Woollens Brook Corridor North – predominantly detached and semi-detached houses with some terraces. 114 dwellings proposed @ 30dph, 2 storeys in height with 2.5 at focal points.

8.181 The indicative plan submitted seeks to retain and enhance the Woollens Brook corridor, woodlands, hedgerows and tree belts across the site. A green infrastructure plan has been submitted as illustrated below.

Illustrative Site Plan highlighting Green Corridors

8.182 Key existing landscape features which create an already attractive setting would be protected and enhanced. In addition, new complementary landscaped spaces would be created.
8.183 A network of existing and new landscaped footpaths and cycle ways would provide safe and attractive routes throughout the development and would provide convenient linkages in all directions, in particular to Hoddesdon Town Centre to the east, Barclay Park to the south, and the open countryside to the west.

8.184 The Recreation Area to the south of Lord Street would provide additional sports and play facilities for the local community in the form of formal sports pitches and a club house.

8.185 The general open space is formed from landscaped corridors throughout the development along with eight neighbourhood greens. These are found strategically around the overall site, five in the northern parcel and three in the southern parcel. The greens are designed to be usable in size and would act as small areas to sit and relax and a valuable break in built form.

8.186 Within this landscaped framework, the development layout will be arranged around spacious streets and neighbourhood greens. A hierarchy of street types, from wide avenues to informal lanes, will all incorporate extensive planting.

8.187 The Woollens Brook Linear Park is located to the east of the development and would contain swales, additional landscaping, ponds and SUDS features. The existing woodland would be extended and where possible enhanced to improve ecology and screening potential. This area would offer additional health benefits allowing exercise and connectivity through the development.

8.188 The Gateway into the site and Hoddesdon would constitute the long-a-bout and associated landscaping which would create an ‘arrival point’ to the development and to Hoddesdon as a whole. This area would be attractively landscaped and could include public art and signage. Currently Hoddesdon lacks any significant focal point of arrival and this would be a good opportunity to create a sense of place.
8.189 The illustrative development layout has been assessed by the Council’s Urban Designer and it has been confirmed that building spacing, garden sizes garden depths and parking provision meets or exceed Local Planning Policy.

8.190 It is acknowledged that the plans submitted are illustrative, so the layout could change, however, in its current form, 523 dwellings are considered to be deliverable on site while at the same time respecting Local Planning Policy and Supplementary Planning Guidance.

8.191 The development would incorporate an extensive range of dwelling types. The main emphasis would be on family housing, but dwellings range from small starter homes to large five bedroom houses, with the additional inclusion of dedicated elderly care provision close to the heart of the new community. It is envisaged that the houses and other buildings within High Leigh Garden Village would be of largely traditional design and the illustrations that follow are considered to be representative of what would be built if this application is approved.
8.192 Most of the development would have 2 storey houses but would also include 2.5 storey houses, in particular to be used as focal buildings. Buildings within the commercial hub and the care home would be up to 3 storeys in height. Provided that the proposed storey heights are not used as the de facto height for all properties within a character area and that they are encapsulated within high quality architecture and urban design, it is considered that they are acceptable as a broad parameter to be taken forward into the Design Code and reserved matters applications if the application is approved.

8.193 In order to ensure the quality of design that would be expected throughout the development, the applicants have agreed to the production of a Design Code. If this application is approved, that Code would require the approval of the Council prior to the site being developed. The Design Code would be based on the principles set out in the Design and Access Statement and illustrative layout. It would provide very detailed advice on materials, architectural styles and features and landscape features within each of the aforementioned character areas. The production of the Design Code would be enshrined within the section 106 agreement.

8.194 In conclusion, the Design and Access Statement and indicative master plan demonstrate a housing layout and design template which are considered to represent many of the characteristics of a “Garden Village” within a high quality landscape setting. Subject to the subsequent approval of the proposed Design Code, it is considered that a high quality development would result if this planning application is approved.
The Impact on the Amenity of Existing and Future Residential Occupiers

8.195 The site adjoins relatively few neighbours given its size; however, the neighbours it does adjoin have the potential to be significantly affected. Properties most at risk include High Leigh Farm properties, a pair of semi-detached properties accessed from Box Lane, a small number of properties fronting Lord Street and a number of properties off Hertford Road and Westfield Road to the north and east of the site.

Looking at each in turn -

8.196 High Leigh Barns is a small collection of residential dwellings, 12 in total, converted from farm buildings about 15 years ago. The properties have both inward facing (into a central court yard) and outward facing windows often serving habitable rooms. The illustrative plan submitted proposes housing around the perimeter of these 12 properties. Whilst there are not protected rights to a particular view, any future development should be designed to have regard to the amenities of affected neighbours. The illustrative plan demonstrates a landscape buffer proposed around High Leigh Barns with properties being located from 27m back to back up to 45m back to back. The landscape buffer would be in the form of trees and supplementary fencing and would be around 5m deep.

8.197 The two properties accessed from Box Lane to the east will also be affected by the proposed development. Distances of separation range from 22m (back to flank) up to 46m front to front. Again, by reason of additional landscaping and distances of separation, residential amenities would be respected.

8.198 Acknowledging that the layout is illustrative, the extensive comments made by immediate neighbours are noted with particular regard to residential amenities. It is considered that well designed and sensitively placed properties, with sensible window locations would not unacceptably impact upon the amenities of High Leigh Farm residents.
8.199 There would be between 25m and 31m separation between the existing Lord Street properties and those proposed on the opposite side of the road and it is also proposed to retain the hedge along Lord Street. The six proposed houses on the south side of Lord Street are well separated from existing houses. The closest house is West Lodge which is 37m from the closest proposed house, which exceeds SPG standards.

8.200 Properties in Hertford Road would be separated from built form by significant landscaping and distances ranging from 95m up to 125m. There would be no overlooking or risk of harm to residential amenities.

8.201 Properties located off Westfield Road would be separated from built form again by significant landscaping with distances ranging from 60m to 70m. There would be no overlooking or risk of harm to residential amenities.
8.202 Where back to back relationships are created between properties in Kennedy Avenue, distances are show to be a minimum of 37m.

8.203 Distances of separation are shown to exceed those required under Supplementary Planning Guidance. Despite its illustrative status, the plan demonstrates that at 523 units, a development is achievable which would respect neighbouring amenities. The levels of neighbour objection is noted, especially from adjacent properties, and whilst there will be altered outlook; it is not considered that the impact on the amenities of neighbours would constitute a reason for the refusal of planning permission.

8.204 With regard to the potential for noise disturbance resulting from use of the proposed houses, there is a there is no reason to believe that the impact in this case would be different in nature or scale from any other comparable new housing development.

8.205 In terms of the amenity of future residents, the houses and gardens would generally be arranged in conventional block patterns with garden to garden relationships being most common. The illustrative master plan demonstrates the proper appliance of the Council’s supplementary planning guidance in terms of rear garden sizes and distances of building separation. These relationships would be closely scrutinised during any future reserved matters applications. Particular attention would be given to those houses closest to the external boundaries of the site to ensure that both internal and external amenity would be appropriate.

8.206 Overall, it is considered that the scheme would be supportive of future living standards and amenity for residents in compliance with Local Plan policy H8
Management and Maintenance

8.207 Successful developments rely on the successful management of streets and the public realm. If this application is approved, the Council would therefore require the approval of a management plan to identify responsibilities and resources for management and maintenance. The following would be covered:

Roads and Pavements – it is envisaged that avenues and residential streets would be adopted by the County Council. Shared surface courts are likely to be adopted by a management company for the development.

Surface Water Drainage – it is envisaged that the County Council would adopt the ponds, swales and other infrastructure associated with the surface water drainage network.

Green Corridors – it is envisaged that Broxbourne Council would adopt the green corridors and associated woodland.

Village Greens – it is envisaged that the Management Company would adopt the village greens.

Acoustic Bund and Fence – it is envisaged that the Management Company would adopt this feature.
Street Trees – it is envisaged that the County Council would adopt the street trees and verges.

Recreation Ground, NEAP and MUGA – it is envisaged that Broxbourne Council would lease and manage these facilities.

Allotments – it is envisaged that Broxbourne Council would take ownership of and manage the allotments.

Construction of the Development – a Development Construction Management Plan would be required by condition.

Planning Obligations

8.208 Negotiations with the applicant have centred around securing a suite of mitigation measures to meet the statutory tests for planning obligations and that would be suitable for a development of this scale in the Green Belt.

8.209 The main heads of terms for a legal agreement with the applicant are close to being finalised. These have partly resulted from the submission of a viability appraisal by the applicants and the examination of that appraisal by GVA, a consultant acting on behalf of the Council. The total amount of value within the proposed 106 is considered to be the optimum that could be achieved following examination of the viability appraisals. It would also constitute the largest value section 106 agreement ever entered into by the Borough of Broxbourne.

8.210 Members should note that the County Council has sought a higher contribution to educational and other facilities including childcare and youth provision. However, the educational contribution is in excess of the value that would normally be sought through the County Council’s adopted toolkit but which is not adopted by this Council. Furthermore, the County Council has not identified any examples where a higher pro rata (per house) contribution has been achieved across Hertfordshire. It is therefore presumed that this would be one of the highest, if not the highest, contributions from any housing development within Hertfordshire which would be further supplemented by the potential gifting of land for a one stream Primary School. As there is not agreement on the total amount of monies within the agreement for educational facilities, it is not considered practicable to include the County Council within the section 106 agreement. Issues with resolving the future approach to Westfield School could also significantly delay the legal agreement. If agreement could be quickly reached on the aforementioned issues, it could be possible for the County Council to be party to the agreement.

8.211 The contents of the agreement would consist of either financial payments phased against house building or works to an agreed specification. These would also be phased within the agreement. The following is a summary of the heads of terms that would be included within the agreement:
<table>
<thead>
<tr>
<th>Category</th>
<th>Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Affordable Housing on Site</td>
<td>20% at 80:20 tenure split</td>
</tr>
<tr>
<td>Affordable Housing offsite contribution</td>
<td>£2,530,500</td>
</tr>
<tr>
<td><strong>Strategic Transport</strong></td>
<td></td>
</tr>
<tr>
<td>Strategic Road and Rail</td>
<td>£1,452,894</td>
</tr>
<tr>
<td><strong>Local Transport</strong></td>
<td></td>
</tr>
<tr>
<td>Bus</td>
<td>£600,000</td>
</tr>
<tr>
<td>Local Walking and Cycling</td>
<td>£322,500</td>
</tr>
<tr>
<td><strong>Education</strong></td>
<td></td>
</tr>
<tr>
<td>Primary/Secondary/Nursery</td>
<td>£4,900,000</td>
</tr>
<tr>
<td><strong>Recreation and Health</strong></td>
<td></td>
</tr>
<tr>
<td>Health</td>
<td>£345,364</td>
</tr>
<tr>
<td>Leisure</td>
<td>£330,328</td>
</tr>
<tr>
<td>New pavilion</td>
<td>£1,045,000</td>
</tr>
<tr>
<td><strong>Town Centre</strong></td>
<td></td>
</tr>
<tr>
<td>Signage</td>
<td>£20,000</td>
</tr>
<tr>
<td>Cycling Facilities</td>
<td>£20,000</td>
</tr>
<tr>
<td>A1170 Link Road Gateway</td>
<td>£150,000</td>
</tr>
<tr>
<td>Town Centre Improvements</td>
<td>£1,380,000</td>
</tr>
<tr>
<td><strong>Environmental</strong></td>
<td></td>
</tr>
<tr>
<td>Spital Brook path environment and Secondary School Connection</td>
<td>£50,000</td>
</tr>
<tr>
<td><strong>Employment</strong></td>
<td></td>
</tr>
<tr>
<td>Training and Skills</td>
<td>£300,000</td>
</tr>
</tbody>
</table>
8.212 The following works would be delivered to an agreed specification:

- Outdoor green spaces including the village greens, the green corridors and Bramble Lane;
- Outdoor recreation area and NEAP;
- Multi Use Games Area;
- Link Road Toucan Crossing;
- Bus Stops;
- Trim Trail;
- Outdoor Gym;
- Footpath links to Spital Brook, Sheredes School and Paddick Close.

8.213 The agreement would also contain provisions for the adoption and management of common areas including the payment of commuted sums for this purpose.

8.214 In addition to the foregoing, the applicant would enter into a section 278 agreement with the County Council to provide for the new longabout and at-grade toucan crossing, the new accesses onto Lord Street and the improvements to the Sun Roundabout, the Hertford Road roundabout and the Essex Road roundabout. All costs associated with the co-ordination of the mitigating measures as set out in the Travel Plan including monitoring fees and the running of two Smarter Choices campaigns would also be covered by the applicants.

**Development Phasing**

8.215 The applicants have proposed to construct the development within 6 phases with an additional enabling phase at year 0. The diagram below demonstrates the phasing envisaged by the applicant.
8.216 In summary, the phasing allows for the following.

**Phase 0** – Enabling works consisting of access and drainage in readiness for phase 1.

**Phase 1** – Approximately 84 dwellings access from roundabout. A section of bunding adjacent to the A10 would be introduced (northfield) and new pumping station.

**Phase 2** – Approximately 114 dwellings access from roundabout. SUDS features along Woollens Brook. A section of bunding adjacent to the A10 (southfield). Power lines undergrounding.

**Phase 3** – Approximately 129 dwellings + 80 Bed care home + 1 FE School (potentially 2 FE). Additional bunding to the northern field.

**Phase 4** – Approximately 75 houses
Phase 5 – Approximately 6 houses + Sports Pitch + Pavilion

Phase 6 – Depending on whether a 2 FE school is required, housing range could be approximately 65 up to 103 + Mixed Use Hub (Hotel, Business Space, Shop, 12 dwellings)

8.217 This phasing plan has been discussed with the applicants and is considered to represent an appropriate phasing for the development. If the application is approved, it would be enshrined within the section 106 agreement.

9. CONCLUSION

9.1 This is an application in outline for up to 523 dwellings within the Metropolitan Green Belt, albeit that full permission is sought for means of access. The principle issues before members are whether this development should be approved within the Green Belt, the environmental and community impacts of the proposed development, whether it can be technically accommodated by the infrastructure of Hoddesdon, the overall quality of the proposed development and the mitigations offered by the applicants against its impacts.

9.2 The development is by definition an inappropriate use within the Green Belt. However, national policy enables applications to be approved where very special circumstances can be demonstrated. The economic, social and environmental benefits that would arise from the development have been set out within this report. Allied with the overall quality and sustainability of the development and the diminishing land supply for housing within Broxbourne, it is considered that very special circumstances exist to justify the principle of developing this Green Belt site. It is also considered that there is justification for supporting each of the individual uses proposed as part of a comprehensive mixed use development. Given the current status of the Development Plan, it is not considered that such support in principle would be premature.

9.3 Regard has been paid to the Environmental Statement submitted with this application. It is considered that the consequent impacts of the development are either acceptable in their own right or that they can be mitigated through good planning and the overall quality of the development. Whilst there would be negative impacts, particularly for those living on the fringes of the application site, it is considered that the overall impact on the community would be beneficial.

9.4 Statutory consultees have not raised any substantive objections in relation to the ability of the infrastructure of Hoddesdon to accommodate the proposed development. In particular, Hertfordshire County Council Highways, the Environment Agency and NHS Hertfordshire have not raised objections subject to mitigations and conditions. HCC Education has confirmed that the development could be accommodated with the provision of a new primary and nursery school. There is current secondary school provision but secondary school places are likely to come under pressure from 2019/20. HCC has, however, objected on the basis that it considers that insufficient funds are provided for through the obligation for school provision. It is considered that a substantial and proportionate sum has been contained within the draft legal agreement and it is not considered that the grounds
of the objection should constitute a reason for refusing this application for the reasons outlined in the report.

9.5 If the application is supported, it is now considered that a framework would be in place through the Design and Access Statement and the proposed Design Code to deliver a development of very high quality that would be an asset to Hoddesdon and Broxbourne. It would be a family orientated community living within a very attractive environment with good access to the town centre and key services.

9.6 Overall, it is considered that support in principle for the proposed development would be a bridge to the creation of a new neighbourhood at High Leigh Garden Village that would be a long term asset for Hoddesdon and Broxbourne and it is recommended that the application be approved.

RECOMMENDED that subject to the applicants first entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) and the application first being submitted to the Secretary of State, planning permission be granted subject to the conditions set out at the end of this report.

This recommendation has had regard to the environmental information submitted, including the Environmental statement.

CONDITIONS

General Conditions:

1. Time Limit (Outline Applications)
2. Approved Plans
3. Reserved Matters
4. External facing materials
5. External surface materials including SUDS
6. Management and maintenance plans to be submitted
7. Hours of construction and ground works (08.00-17.00pm Mon-Fri) and (8-1 Saturdays) No Sundays/Bank Holidays
8. Design Code
9. Undergrounding High Voltage Cables
10. Notwithstanding details submitted a phasing plan to be submitted
11. No development until reserved matters (per phase)
12. Waste provision in accordance with Supplementary Planning Guidance
13. Timing and delivery for Highways, Green Infrastructure, School and Community Facilities

Flood

14. SUDS, Surface Water, Sewerage strategy incl. roads, footways, cycle ways
15. SUDS adoption
16. Construction/foundation design – no piling unless approved
17. No infiltration of surface water drainage
Landscape

18. Landscaping details (notwithstanding) – per phase
19. Prior to commencement Landscaping details – gateway and off site

Highway

20. Completion of roads and footpaths before first occupation (per phase)
21. Pedestrian and cycle works to be carried out prior to occupation (per phase)
22. Visibility splays provided at junctions
23. Highway Safety Audits for site access junctions
24. Details of all proposed new highway infrastructure and modifications, no occupation until access details have been implemented in full.
25. No debris/mud on highway
26. Existing public rights of way abutting the site shall remain undisturbed unless legally stopped up or diverted
27. Travel Plan submitted and approved
28. The proposed Primary School / Nursery and Commercial Uses shall not be occupied or used until Toucan Crossing is fully functioning
29. Vegetation on northern side of Lord Street footway between Box Lane and Bowls Club must be cut back and the footway surface improved
30. Storage of materials and parking for construction workers to be approved
31. Fire Hydrants to be provided

Ecology

32. Wildlife/habitat mitigation/enhancement strategy
33. Wildlife/habitat management plan
34. No felling of trees prior to landscape scheme
35. Protection of trees
36. Replacement trees if planted trees do not survive
37. Details of protection for protected species
38. Works in under canopy of trees hand tools only

Archaeology

39. Written scheme of investigation to be submitted

Contamination

40. (Notwithstanding) Ground contamination assessment – including remediation strategy and verification report prior to occupation
41. Ground remediation
42. If unexpected contamination found no further development until remediation strategy is approved
43. Air contamination mitigation strategy to be approved
Noise

44. Acoustic Insulation Scheme for properties to be submitted
45. Acoustic barrier details and phasing to be approved

Sport England

46. Playing pitches in accordance with Sport England Guidelines
47. Siting and design of pavilion to be agreed
48. Ensure community use for school facilities
Item 2: 07/14/0104/F

Location: Zenz House, 68 Flamstead End Road, Cheshunt

Description: Single storey rear extension, including demolition of existing rear extension and installation of new door

Applicant: Tesco Stores Ltd.

Agent: CgMs Ltd.

Date Received: 05.02.2014 Date of Committee: 30.07.2014

Expiry Date: 01.04.2014 Officer Contact: Gill Forbes

Determination of this application was deferred from the meeting of 24th June to seek the comments of Herts County Council as Local Highway Authority in relation to the proposed rear extension and new door. The formal response letter from HCC is set out in full below. Members should also note that the application for road re-alignment and the introduction of traffic lights at the junction of Brookfield Lane West and Flamstead End Road was submitted on 2nd July 2014.

HCC Response:

“Notice is given under article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

COMMENTS:

The Local Planning Authority has requested highway comments on the application for an extension to the existing building, increasing its overall footprint by 35 square metres.

The site currently has permission for A3 restaurant use, although it is now unoccupied. The Highway Authority understands that under permitted development rights, the applicant does not need planning permission to change the use of the site from a restaurant to an A1 convenience store, and the Local Planning Authority are not seeking highway comments in relation to this.

On the basis that use of this building will remain as a pub/restaurant, the impact on the public highway arising from a 35 square metre extension is likely to be minimal. An extension of this modest scale will not increase trips to and from the site to an extent that would justify any improvement works to the site’s access, car park or the wider public highway.

Similarly, on the basis that this building already operates as an A1 convenience store, the modest extension in and of itself will not increase trips to and from the site to any significant degree.
In short, these two scenarios would not justify a highways objection.”
Members can see from the above that, in relation to the physical alterations and extensions, the Local Highway Authority does not consider that there will be a material impact on the public highway. With regard to other, more general comments relating to the likely change of use of the building (which is permitted development), the advisory recommendations made by the Local Highway Authority have been raised with the applicant and any response will be reported orally to committee. These advisory measures include further consideration of access by delivery vehicles, surface improvements to the access/car park, white lining within the car park access to clarify access points and further consideration of how pedestrians walk from their cars to the main entrance. These operational details are not relevant to determination of this planning application.

ReCOMMENDED that planning permission be granted subject to the conditions at the end of the previous report

PREVIOUS COMMITTEE REPORT

1. CONSULTATIONS

1.1 Engineering and Surveying Services – No objection.

1.2 Thames Water – No objection, but applicant should contact Thames Water for their requirements and advice regarding drainage from the site.

2. PUBLICITY

2.1 The application has been advertised by means of site notices, and letters to occupiers of neighbouring properties. The consultation period expired on 28th February 2014.

3. REPRESENTATIONS

3.1 Two hundred and sixty one objections have been received in total relating to the seven separate planning applications that were received for this building. These state the following:

- Increase in traffic at busy junction and on narrow road;
- Less parking than exists at Tesco in Hammondstreet Road where there are safety issues due to illegal parking;
- Delivery lorries will cause congestion and disruption and will cross footpath to rear which would be hazardous to children and pedestrians as close to playing fields and on route of local schools;
- A planning condition on the Tesco Brookfield Farm site restricted lorries from going beyond the store along Brookfield Lane from the A10 for the safety of residents;
- Increase in noise to the detriment of local residents;
- Security floodlighting and neon signs will be detrimental to local residents;
- Will attract groups of youths to gather;
- Will lead to increased littering in area;
- Area is already well served by local convenience stores, and close to Brookfield Centre so no need for another supermarket;
- May not be able to stop conversion of site to Tesco store, but should not be allowed to extend building as will result in more on street parking;
- The voice of local people should not be ignored;
- Tesco state that they will not develop a site if concerns are sufficient; the fact that 30mph warning signs and road markings are along Brookfield Lane should illustrate sufficient concern, even before residents objections;
- Applications may be minor in nature, but detrimental impact of the scheme would be major;
- Tesco should not have a monopoly of retail shops in the area;
- Will ruin trade of existing local shops and result in loss of jobs;
- Homes will be devalued;
- New housing would be a better use of the site; and
- Applications should be decided in a public meeting so that members can be made aware of the depth of local feeling.

4. RELEVANT LOCAL PLAN POLICIES

4.1 The following policies of the Borough of Broxbourne Local Plan Second Review 2001-2011 (adopted December 2005) apply:

HD13 Design Principles
RTC1 Hierarchy of Town and Local Centres
T3 Transport and New Development
T11 Car Parking

The National Planning Policy Framework (NPPF) is also applicable.

5. LOCATION AND DESCRIPTION OF THE SITE

5.1 The site consists of a two storey building with an area of hardstanding and car parking to the rear. It is located on a corner plot at the junction of Flamstead End Road, Longfield Lane and Brookfield Lane. The site is surrounded by residential dwellings with a hairdressers and coach hire/repair depot to the immediate north. Blackbird Cottage is to the immediate east with a public recreation ground beyond. The nearest properties are approximately 15 metres from the northern boundary of the site which are the cottages of Cheshunt Folly that lie opposite in Brookfield Lane. An area of landscaping intersected by a footpath lies to the west of the site and results in the building being set back from the highway approximately 12 metres.

5.2 There is a small parade of shops approximately 70 metres to the south of the site with a garage opposite in Flamstead End Road. Brookfield Retail Park and Brookfield Centre are located further west off Brookfield Lane.
5.3 The building was previously used as a restaurant with ancillary accommodation and therefore has an A3 use under the planning Use Classes Order. The site has been vacant for some months.

5.4 Pedestrian access is located at the front of the building off Flamstead End Road, whilst car parking is reached via an existing access off Brookfield Lane.
View from Brookfield Lane

View from Flamstead End Road
6. RELEVANT HISTORY

6.1 The building previously changed use from a public house (Class A4), to a restaurant (Class A3) under permitted development. This involved a change of signage for two internally illuminated wall mounted signs to the front, one non-illuminated wall mounted sign to the side and one hanging sign. The signage was approved in 2004 (reference 7/0070/04/AC).

Since then six applications have been approved in relation to the proposed Tesco Express Store as follows:

7/14/103/F – Raise a rear section of the roof by 614mm and remove a dormer window;
7/14/168/AC – Two internally illuminated fascia, one non-illuminated fascia, ATM surround and wall mounted picture signs;
7/14/169/F – Installation of ATM to the shopfront;
7/14/170/F – Alterations to the shopfront including the installation of new windows and new entrance doors;
7/14/171/F – Replacement of an existing access ramp to the front of the building; and
7/14/172/F – Installation of 3 AC units and a 2 fan condenser unit floor mounted to the rear.

7. PROPOSAL

7.1 This report considers one of seven planning applications for relatively minor changes to the building. Members may recall that the other six applications were approved at the April Planning and Regulatory Committee. This application was deferred for a sequential assessment to be submitted in line with guidance in the NPPF.

7.2 In common with the other six proposals, this application is not for a change of use. The change from (Class A3) restaurant to (Class A1) retail shop is a permitted change that falls within the General Permitted Development Order (1995) (as amended). No change of use has taken place to date and the building is still vacant. The extension and minor changes to the external appearance of the building relate to physical changes to the building only.
Location of proposed extension outlined in red
7.3 The proposed flat roof, single storey extension (reference 7/14/0104/F), would be set back from Brookfield Lane by 9 metres. It would be approximately 11 metres wide and 4.9 metres at the deepest section, stepping in 1.2 metres for around 4.8 metres. The proposed extension would increase the footprint of the building by approximately 34 square metres and be located at the rear.

7.4 The proposed development would also involve the demolition of an existing single storey flat roofed rear extension with a floor area of 15.4 square metres, and the installation of a new rear door.

8. APPRAISAL

8.1 The main issues relating to this application are:

i. the principle of extending a town centre use outside a town centre;
ii. the scale, design and visual impact of the extension;
iii. roads and parking

The Principle of Development

8.2 The National Planning Policy Framework states that “Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale”.

8.3 As 68 Flamstead End Road is located outside of the Borough’s existing town centres a sequential test was requested for the proposed extension. It was recommended that this should cover the borough. In the event, the applicant has applied that test to the whole store (303 square metres gross), arguing that Tesco could not disaggregate 34 square metres and operate a store of that size. The applicant has also argued that as this is a proposal for a “top up” neighbourhood supermarket, it was only pertinent to consider properties within the immediate catchment. The submitted assessment has therefore been limited to the immediate neighbourhood but has been extended to incorporate Cheshunt Old Pond District Centre and edge of centre sites nearby capable of accommodating a store of approximately 270 to 405 square metres. Within this area, three vacant units were identified but none was considered suitable as the sizes ranged from 79.6 to 178.7 square metres and are considered by the applicant as too small to accommodate a Tesco Express store. The applicant has therefore concluded that the sequential test would be passed and has also stressed that the majority of the proposed floorspace is in any case permitted development.

8.4 There are three issues to consider in determining whether the applicant’s conclusions should be accepted:
a. Should the catchment have been more widely drawn to cover the whole borough? This could be argued either way. However, the presence of three local top up supermarkets within the immediate vicinity and the absence of a local need is considered to tip the balance in favour of a more extensive assessment of the Borough. Should this be undertaken, there are properties or sites that could accommodate the floorspace in its entirety;

b. Should the applicant have examined the disaggregation of the floorspace? The application of a disaggregation argument can be applied in different ways – to the operator and its preferred format, to an alternative trader(s) or to the goods being traded. In this instance, it is accepted that Tesco does not wish to apply its Express format to a unit of 178 square metres and that it may not trade from units of this size. However, other operators will trade goods that could normally be acquired from a Tesco Express store in much smaller units. Is Tesco in seeking this extension therefore taking up an opportunity for another trader to take up a town centre unit to trade? On balance, it is considered that the proposal could be disaggregated. It should, however, be pointed out that the applicant has provided case law that supports its own position.

c. Is it proportionate to refuse this application through the application of the sequential test? The conversion of Zenz House into a retail unit is permitted development so in effect the application of the sequential test is only triggered by the addition of the net 34 square metres that is the subject of this extension application. This is marginally in excess of 10% of the proposed store area. In other circumstances, a 10% uplift in floorspace of an out of town store could be a concern. In this instance, it is accepted that this minor additional back of space floorspace would enable the proposed store to be configured within a format that will benefit the operation of that store. In its absence, the format of that store would be compromised.

8.5 The recently published Planning Practice Guidance on Ensuring the Vitality of Town Centres states that the application of the sequential test should be “proportionate and appropriate for the given proposal”. Previous but superseded guidance recommended that the sequential test was only applicable to proposals in excess of 200 square metres. The applicant has continually stressed that the majority of the proposed floorspace is permitted development which is accepted. This being the case, it is concluded that it would not be reasonable to refuse this relatively minor extension through the theoretical application of the sequential test to its floorspace.

8.6 It is therefore considered that the principle of the extension floorspace is acceptable.
Scale and Design of the Extension

8.7 The proposed size, scale and design of the rear extension is considered suitable to blend in with the main building. It would be set within the site and would not compromise light angles of any surrounding dwellings. The new extension would be only approximately 2 metres deeper than the existing smaller extension to the rear which would be demolished as part of this proposal. The extension would be approximately 3 metres high and would increase the footprint of the existing building by only approximately 34 square metres. The existing building has a footprint of approximately 268 gross square metres so the extension would not be a disproportionate addition and would not appear bulky or prominent in the street scene.

8.8 In terms of design and visual impact the proposed extension would have no detrimental impact on the amenity of local residents. The proposed development complies with Local Plan Policy HD13.

Roads and Parking

8.9 This Council has recently identified a need to improve the junction between Flamstead End Road and Brookfield Lane West by converting the existing mini roundabout junction into a signalised junction. This improvement would require the redevelopment of Zenz House. On the basis that the conversion of Zenz House into a supermarket is permitted development, discussions have been taking place with the applicant around the possibility of redeveloping the proposed store behind the line of the proposed junction improvement. Regardless of the determination of this application, those discussions will continue.

8.10 A planning application is being prepared for the proposed junction and is expected to have been submitted by the date of this committee. Legal advice has been sought on whether the submission of the planning application for the road improvement would constitute a material reason for refusing this planning application. The advice is that no more than limited weight could be afforded to the decision from the fact that the road improvement application had been submitted. It is not therefore considered that the application for the road improvement on its own would constitute a reason for refusing this application.

8.11 In the event that the committee wished to further defer determination to enable a prior decision to be made on the proposed road improvement, legal advice has also been sought as to whether the granting of a planning permission for the road improvement would constitute a material reason for refusing this planning application. The advice is that greater weight may be given. However, in a circumstance where the Council grants itself planning permission, that decision must be approached with great care and able to withstand the scrutiny for proper fairness by a Court. As the application for the extension has preceded the application for the road improvement and the Council must be seen to act fairly and properly in such matters, it is considered that a further deferment to enable a prior decision on the road application would be inappropriate.
8.12 This relatively minor extension has no impact on the access to or egress from the site. Its impact on additional traffic movements will be negligible and there is no reason to refuse the application on highway grounds.

8.13 The applicant advises that deliveries to the site will take place from the rear car park and the extension will be used for back room servicing. In connection to this, tracking details for a lorry 14.25 metres long have been provided and checked by the Council’s Engineering and Services who has confirmed that lorries will be able to enter and exit the rear car park area in forward gear. These matters will be conditioned if planning permission is granted.

8.14 Small food shops of up to 500 square metres require one parking space per 30 square metres gross floor area. The proposed extension will take the gross floor area to 303 m² meaning that an overall parking provision of 11 spaces is recommended by the Council’s Guidelines. The store will have 22 spaces, including 1 disabled parking bay, which is in excess of this provision.

8.15 Overall, it is considered that this minor extension will not have a significant impact on the highway and that there will be sufficient parking spaces for the proposed development which is therefore in accordance with Policy T11 and the Council’s ‘Interim Policy for Non-Residential Car Parking Standards’ (January 2012).

Other Issues

8.16 Objectors have stated that a condition was attached to the planning consent for Tesco at Brookfield Farm to prevent delivery lorries continuing westwards along Brookfield Lane beyond the store in the interest of the safety of residents. However, the condition relates to the requirement for a delivery/service area to be provided off Halfhide Lane to prevent vehicles impeding the flow of traffic along the road, and having a detrimental impact on highway safety. The condition is specific to the Brookfield site.

8.17 Concerns were expressed regarding the potential for the site to attract youths, increase in littering, devaluation of houses and that Tesco should not have a monopoly in the area. These are not matters which are material to the consideration of this application.

CONCLUSION

This relatively minor back of house extension to Zenz House is proposed to enable the proposed Tesco Express store to be configured in a manner that will enable the successful operation of the store. The applicant has been asked to submit a sequential assessment but whilst officers take issue with the scope and outcome of that assessment, it has been concluded that refusal of the application on the basis of the sequential test would not be proportionate to the scale of the development sought. In visual and operational terms, the scale and design of the extension are considered to be appropriate. It will have a negligible impact on the highway and the number of parking spaces proposed satisfies the Council’s guidelines. The proposed road improvement scheme at the junction of Flamstead End Road and
Brookfield Lane West is not considered to constitute a reason for refusing this application.

RECOMMENDED that planning permission be granted subject to the following conditions:

1. Standard time limit – 3 years
2. Development in accordance with numbered plans
3. Materials to match
4. No amenity use of roof
5. All deliveries and servicing to the site to take place from within the rear car park
6. All delivery and service vehicles to enter and exit the site in forward gear
7. Delivery times
8. Hours of construction.

Informative:

Scenario 2
Item 3: 07/14/0294/F

Location: Brook Farm, Cuffley Hill, Goffs Oak, Herts. EN8 4EX

Description: Change of use of land for holding 25 weddings on weekends between 1 March and 30 September.

Applicant: J I Thomas & Son

Agent: Bidwells

Date Received: 01.04.2014 Date of Committee: 30.07.2014

Expiry Date: 30.09.2014 Officer Contact: Gill Forbes

RECOMMENDED that the application be deferred for the reasons set out in the report.

1. CONSULTATIONS

1.1 Environment Agency - no objection subject to an informative in relation to any proposed works within 8 metres of Cuffley Brook.

1.2 National Grid – No objection

1.3 Environmental Health – Requested acoustic report due to noise complaints received from residents. Following receipt of the acoustic report a condition has been recommended for the applicant to provide an automatic volume control limiter, set to exceed no higher level than 75dBA Leq (1 min) (f), when measured at 10 metres from the speakers, together with a graphic equaliser to control low frequency noise to avoid the potential for noise disturbance to local residents.

1.4 Hertfordshire Highways – Initially objected due to insufficient information. Re-consultation took place following submission of further highways assessment. The objection was withdrawn subject to conditions to improve vehicular access and gradient of track adjacent to highway, and for on site vehicular areas to be surfaced and marked out in accordance with details to be submitted and approved by LPA.

1.5 Welwyn and Hatfield District Council – No comments

2. PUBLICITY

2.2 The application has been advertised by means of a site notice, newspaper advert and letters to occupiers of neighbouring properties: expiry 3rd July 2014.

3. REPRESENTATIONS

3.1 2 letters of support and 68 objections have been received.
The concerns raised are summarised as follows:

- Frequency of events;
- Inappropriate development in the Green Belt;
- Sets precedent for change of permanent use of Green Belt land;
- Conflict with character of area;
- Intensification of use as Brook Farm site farm buildings also let out to nine different companies;
- Website advertises additional events at Brook Farm i.e. Clay Pigeon shooting, Game Shooting and function room for hire;
- Noise disturbance to local residents;
- Loud music heard until 2am in the morning;
- Sound travels and music has been heard from long distance from the venue (Tolmers Road);
- Light pollution from venue;
- Prevents local residents enjoying the peace and tranquillity of their own gardens through the entire summer months;
- Vibration from bass beat of music can be felt by local residents;
- Detrimental to tranquillity of countryside;
- Event marquees visible from public footpaths which visually harms area of outstanding beauty;
- Detrimental to wildlife;
- Disturbance extends over several days due to the need to erect and take down structures and equipment;
- Increased traffic generation along Cuffley Hill;
- Dangerous position of access to site could lead to highway safety issues;
- Has access for emergency vehicles been considered?
- No commercial benefit to local community;
- Could lead to the use of the land for quad biking, music festivals etc.;
- Destruction of farming resource;
- No mention of numbers of staff required on site or limits to number of public attending events, should be limited for safety reasons and
- Site lies in a natural valley with no barriers to residential dwellings so noise carries.

The letters of support relates to the provision of an affordable wedding reception facility in the vicinity of the church in Northaw and if the farm is not generating a satisfactory income they could opt to sell the land for development which would be worse.

4. RELEVANT LOCAL PLAN POLICIES

4.1 The following policies of the Borough of Broxbourne Local Plan Second Review 2001-2011 (adopted December 2005) apply:

- SUS8 Noisy development
- SUS9 Requirement for a noise impact study
- GBC2 Development within the metropolitan Green Belt
- GBC6 Proposals for non-agricultural uses of Green Belt land
4.2 Also applicable is the National Planning Policy Framework (NPPF) March 2012. The chapters of particular relevance for this application are 3 (Supporting a prosperous rural economy), 9 (Protecting Green Belt land) and 11 (Conserving and enhancing the natural environment).

5. LOCATION AND DESCRIPTION OF SITE

5.1 Brook Farm occupies approximately 182 hectares of land that lie within the Green Belt adjacent to the eastern boundary of the Borough of Broxbourne. The land in this area is strongly undulating with a mixture of open farmland and wooded areas. Cuffley Brook runs north-south along the western boundary of the farmland. Parts of the farm lie within flood zones 2 and 3. Public footpaths situated on higher land provide access to the countryside providing views across Brook Farm.

5.2 The farm is an agricultural holding. Dairy and beef farming previously operated at the site but this use has been replaced by arable farming, together with the provision of facilities for a range of leisure activities, including game and clay pigeon shooting, hiring of land for events, and leasing of farm buildings for storage to several separate companies. The other existing uses on the farm which have come to light will be reviewed separately by the Council's compliance officer.

5.3 Cuffley Hill which is a busy B classified road linking Cheshunt and Cuffley, bisects Brook Farm. The farm house and a number of large barns lie on the northern side of the highway, and open grassland and fields of crops on the southern side. An unmade-up track on the southern side of the highway provides access through a gateway into the farm off Cuffley Hill. The track leads south until it terminates at a turning head to the south of a lake which is surrounded by mature trees with a relatively level area of open grassland adjacent. It is this area of land where marquees have been periodically erected and events such as wedding receptions have taken place occasionally since 2011. This area of land is subject to the proposed change of use.
5.4 The event area is approximately 4.6 hectares and comprises grassland, lake, Cuffley Brook, farm track and turning head. There is space provided for the erection of temporary marquees, ancillary catering tents and portable toilets, with vehicle parking to the side of the track adjacent to the lake. The site is located within a natural amphitheatre style setting with higher ground consisting of farmland and woodlands surrounding it.

5.5 There are bus services running along Cuffley Hill and Brook Farm is a short walk away from Cuffley Railway Station. However, the location of the event venue is set a long way back (approximately 0.89km), from the highway down an unlit farm track so it would not be likely that wedding guests would arrive on foot.
Site plan showing proposed wedding event area and route from Cuffley Hill.
Wedding event site.

Wedding event with tepees being set up as viewed from public footpath 15th May 2014.

Marquees being set up for wedding event 1st May 2014
Section of the farm track forming the route between the entrance to the southern area of Brook Farm, and the lakeside venue.

Section of the turning head, with open grassland beyond which is available for guests attending wedding events to camp overnight.
6. PROPOSAL

6.1 The proposal is to change the use of the land to allow 25 weddings to be held on weekends between 1 March and 30 September. The proposal as originally submitted included ‘events’ as well as weddings because some corporate events and birthday parties have also been held at Brook Farm. However, the term ‘event’ was not considered by the Council to be specific enough to allow a proper assessment of the proposal to be made and the description was amended at the request of the applicant to weddings only.

6.2 It is understood that the use of the 4.6 hectares site lying in the southern area of Brook Farm was offered as a venue for wedding receptions and parties less frequently in the past, and the applicant took advantage of permitted development rights which allows the temporary change of use of land for no more than 28 days in any calendar year. The number of events has increased over the last year. Due to the intensification in the change of use of the site planning permission is required.

6.3 The number of events is believed to have exceeded 28 days in 2013. From the number of temporary licences issued by the Council, and details provided by local residents it is also evident that 28 days has already been exceeded in 2014. For the purpose of calculating the 28 day period the time to set up and take down marquees and equipment has been included and the applicant advises that each wedding event involves activity on the site over a 5 day period, for example:

Thursday – setting up equipment and temporary structures;
Friday – decoration of marquee
Saturday – event takes place
Sunday – clearance and dismantling of temporary structures begins
Monday – site cleared

6.4 The permitted development ruling in planning for the inclusion of setting up and site clearance periods within the 28 days has been checked by the Council with a barrister. He concurs with the Council’s stance of including the preparation and clearing away before and after events in the 28 day period.

6.5 The wedding events typically involve up to 200 guests, (although a 2014 Premises Licence states that guest and staff numbers will not exceed 300), and informal parking is provided within the site based on an estimated 80 cars. An indicative parking plan shows an informal parking area, with many cars tandem parked between the track and the lake. It is stated in supporting documentation that additional overspill parking can also be accommodated within the site if required.

6.6 The applicant states that overnight camping following an event such as a wedding reception is allowed on the same area of land and the fields within the site provide sufficient space for camping. No details have been provided regarding either the frequency that this occurs, or the numbers involved.

6.7 When wedding events are being held mobile WC units are provided on the site, and removed as part of the site clearance when the marquees etc. are taken away.

6.8 Although this application only refers to wedding events a Premises Licence has been issued July 2014 to run until July 2015. The activities authorised by the licence are supply of alcohol and late night refreshment and holding events such as plays, films, live music, recorded music and performance of dance on a Friday, Saturday and Sunday. The licence allows for the supply of alcohol until 1.30am on Fridays and Saturdays and 23.30 on Sundays and for plays, films, recorded music and performance of dance until 2am on Fridays and Saturdays and midnight on Sundays.

7. **RELEVANT HISTORY**

7.1 A change of use application was approved in 2008 for the use of a garage as a shoot reception area – reference 7/436/08 so it is likely that game and/or clay pigeon shooting was already taking place at Brook Farm. A few noise complaints were received by Environmental Health Services in relation to game shooting at the site. There have been no applications in relation to holding wedding or other such events on the site.

8. **APPRAISAL**

8.1 The main issues for consideration for this proposal are as follows:

- Impact on the openness and appearance of the Green Belt;
- Principle of allowing diversification from appropriate Green Belt uses;
- Impact on the amenity of local residents;
- Highways and parking;
Impact on the openness and appearance of the Green Belt

8.2 The NPPF states in paragraph 87 that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances and:

“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”

8.3 There is no definition of the meaning of ‘very special circumstances’ within the NPPF. However, for guidance purposes the following factors are thought to be relevant when considering what constitutes ‘very special circumstances’

1. Does the application proposal have any characteristics that help the development to outweigh the harm to the purposes for which the Green Belt was designated?

2. Is there a substantial economic need, especially at a national or regional level?

3. Are there substantial cultural, social or community benefits?

4. Is there a substantial housing need that cannot solely be met within the urban area?

8.4 The erection of large marquees and associated equipment on an open field, that is clearly visible from public footpaths nearby, is not considered compatible with the site’s Green Belt characteristics. The proposed change of use has no mitigating features that would outweigh the harm to the Green Belt.

8.5 The applicant states that the change of use of the site is to provide “essential supplementary income to support the agricultural enterprise”. However, no evidence of the need for such support has been provided. Any financial evidence would relate to the personal circumstances of the applicant only, and would have no bearing at national or regional level.

8.6 The proposed change of use would provide a wedding venue for public use, but this is on a relatively small scale and would not be considered a substantial cultural, social or community benefit.

8.7 The reference to housing in point 4 above is not relevant to this proposal.

8.8 Local Plan Green Belt policies also do not support development which does not preserve the openness and character of the Green Belt, and where buildings would be prominent in views from local vantage points. The introduction of large temporary structures has a detrimental impact on the appearance of the Green Belt. Increasing the periods that the structures are in situ would have a greater impact on the openness and appearance of the Green Belt as they would be seen more frequently by more people on public footpaths on higher ground nearby. The
structures are clearly visible from outside of the site and their presence should be restricted in order to preserve the character and appearance of the Green Belt.

8.9 The proposal to change the use of the land to non agriculture or horticulture purposes would not be compatible with the NPPF or Local Plan Green Belt Policies which seek to preserve the openness and character of the land and where there are no ‘very special circumstances’

8.10 Overall, the proposed change of use to hold 25 wedding events is not considered compatible with Policies, GBC2, GBC6(b), GBC7, GBC16 or the NPPF as the frequency and character of the use would not respect the rural location and no very special circumstances have been demonstrated.

Principle of allowing diversification from Green Belt uses

8.11 The NPPF paragraph 28 supports the development and diversification of agricultural and other land-based rural businesses and rural tourism and leisure developments that benefit businesses in rural areas, and which respect the character of the countryside.

8.12 Local Plan Policy GBC14 also supports rural diversification where the proposal is complementary to the agricultural operation and states that ‘farm diversification schemes will be permitted where’:

I) The proposal retains existing, or provided additional employment;

II) The proposal is complementary to the agricultural operation and will be operated in support of the farm holding and in association with continuing farming activities:

III) The scale and character of the use is appropriate to the rural location and the amount of activity associated with it will not materially exceed that traditionally associated with the holding;

IV) The proposal utilises existing buildings which fulfil the criteria of (a) of part (I) of Policy GBC15;

V) The proposal will not result in a material increase in commercial traffic on rural roads and,

VI) The proposal will not have a materially greater impact in terms of the local environment, residential amenity, archaeological or ecological interests.

8.13 The applicant states that the use of Brook Farm as an arable farm growing wheat and cropping hay will continue. The wedding event site of 4.6 hectares is small in comparison to the overall size of the farm which equates to approximately 182 hectares. The Planning Statement submitted with this application quotes the reason for diversification ‘to provide essential supplementary income to support the agricultural enterprise’ as agricultural subsides ‘may be lost, or significantly reduced
which would mean that it will not be financially viable to farm the land’. However, no
accounts, or other financial details have been provided to support this statement.

8.14 The venue is on a spacious area of private land located well within the farmland.
The wedding events are held in an attractive location with a scenic lake as a
backdrop and the land is well maintained and tidy. Structures used for the wedding
events are temporary and the site is cleared after each event. However, the use of
this site for 25 wedding events on weekends between 1 March and 30 September
would result in the events being held throughout the summer when local residents
are most likely to be out in their gardens, or walking the public footpaths around the
site. Therefore, the scale and appearance of activities on the site are important
factors as there is more likelihood that local residents would be affected by the
changes to the use of the land during the summer months.

8.15 The frequency of the events is therefore considered to be excessive as holding 25
wedding events at weekends throughout the summer would mean disruption every
week-end from March to the end of September resulting in a materially greater
impact on the local environment and residential amenity.

8.16 The wedding events would also result in an increase in traffic as approximately 80
cars are estimated to attend the site. Although Cuffley Hill cannot be classed as a
rural road, Brook Farm lies within the Green Belt and has a rural character so the
use of the farm track by such a large number of vehicles would result in a material
increase in traffic within the farm which is not compatible with the character of the
site. Although there are no objections from Hertfordshire Highways to the increase
in traffic using the farm track, their comments relate specifically to likely impact on
the local road network, and the track is on private land.

8.17 The proposed change of use would not utilise any existing buildings so point (IV) of
Policy GBC14 is not relevant in this instance.

8.18 The proposed change of use of the land to hold wedding events is a separate use
that is not complementary to the agricultural operation.

8.19 Overall the proposed diversification of farm land within the Green Belt to hold
25 wedding events is not considered to comply with Local Plan Policies
GBC2, GBC6(B), GBC14 or SUS8. The use of the Green Belt for wedding
events would have a detrimental visual impact on the local environment and
result in disturbance to local residents and would not be complementary to
the existing agricultural operation.

Residential amenity

8.20 The temporary structures and marquees used on the site are large and visible from
frequently used public footpaths nearby although not from surrounding houses.
These structures, although temporary do not respect the character of the area. If
the use of such structures were kept to a minimum their presence would be unlikely
to be unduly detrimental to local residents. However, if they are erected frequently
on weekends throughout the summer period their presence would appear more
permanent and intrusive to the detriment of the visual amenity of local residents who are likely to see the structures regularly when using the nearby footpaths.

8.21 The wedding events also generally involve amplified music, the sounds of which are heard beyond the venue, as evidenced by a number of noise complaints. The degree and direction in which the sound travels is likely to be influenced by other factors such as wind direction and strength, type of music being played as well as the volume of the noise. Therefore, an acoustic report was requested from the applicant. The report was produced following an acoustician's attendance at a wedding event. The results showed that the event monitored sound levels significantly exceed the ambient local noise level. As a result mitigation measures were suggested to limit noise.

8.22 Environmental Health has reviewed the acoustic report and recommends that the applicant would need to install equipment to limit the level of music at the site so that it does not exceed 75dBA Leq(1min) (f) when measured 10 metres from the speakers. It is considered that the most practical method of achieving this level is for the applicant to provide an automatic volume control limiter and sound system for the use of visiting DJs. The noise limiter should be installed under the supervision of an acoustic consultant at each event with an activation level of 75dBA, and should include a graphic equaliser to control low frequency noise. The equipment would be used at each event where amplified music is to be played, and involves plugging music equipment into a device that would reduce sound to the set level. Environmental Health advises that this device would not work for live bands or mobile DJs.

8.23 The restriction of sound levels to 75dBA is recommended by Environmental Health following their observations carried out on 5 July 2014 in connection with a wedding event. Sound levels were recorded at 75dBA at this event by an officer just outside the marquee, at the foot of the dance floor. During this arranged observation officers positioned themselves at six sites around the venue from which complaints of noise had been received, and confirm that no noise could be heard.

8.24 The applicant has reviewed the recommendation by Environmental Health and states that the proposed condition is prohibitively restrictive and not acceptable as it will prevent wedding events taking place. Instead, a higher sound level is proposed up to 11pm with an increased of no more than 2db in the LA90 (1min)(f) and no more than 3db in the real time simultaneous Leg(1min)(f) for music. Environmental Health however, state that this increased sound level will be such that it will be heard at local houses which is the reason 75dBA is considered appropriate.

8.25 Local residents have also raised complaints about the vibration from bass notes which can be felt at surrounding dwellings.

8.26 These issues of noise and vibration could be acceptable if infrequent, but have a greater impact on the amenity of local residence the more often they occur.
8.27 The proposed use of the Green Belt site for 25 wedding events with amplified music played above the level recommended by Environmental Health is not considered to comply with Local Plan Policies SUS8 or GBC14 as it would disturb the tranquility of the surrounding rural area and have a detrimental impact on the amenity of local residents.

Highways, parking and access

8.28 The Highway Authority has assessed this proposal and the additional information that was provided in a Transport Statement and trip survey. No objection has been raised, subject to the use of conditions to provide additional plans to better define the site entrance and ensure the access is not steeper than 1:10, and for on site vehicular areas to be accessible, surfaced and marked to the Local Planning Authority’s approval. However, any changes would have to be suitable to retain the appearance of the understated farm entrance in order to retain the character of the area.

8.29 In terms of Council parking standards, the site is large and there is ample space to park more than the 80 cars estimated to attend the wedding events as detailed in the Transport Statement without creating any overflow parking on the highway.

8.30 The proposal is considered to comply with Local Plan Policies T3 and T11.

Other matters

8.31 Objections have been raised regarding lack of information to show that access for emergency vehicles has been considered. However, the farm entrance and track is wide enough to allow farm tractors and other large vehicles to travel through the site so emergency vehicles would be able to use the same route.

8.32 Disturbance to wildlife has also been raised, but this is a large site and wildlife would be able to roam away from the event site. There is also constant background noise from traffic on the M25 and trains pass through the farmland via a viaduct so any wildlife would already be subjected to noise disturbance. An ecologist has been consulted by the applicant’s agent who, after comparing the proposal to other noisier scenarios does not consider that there would be any detrimental impact on wildlife. Although no written details from an ecologist have been provided his conclusion is considered feasible considering the location of the site.

8.33 As this site is over 1 hectare members are advised that if it is resolved to approve this application for change of use of Green Belt land, the matter would have to be referred to the Secretary of State for consideration.

9. CONCLUSION

9.1 The proposed change of use of a 4.6 hectare area of farmland to hold 25 wedding events from 1 March to 30 September would represent an unacceptable intensification and inappropriate use of this Green Belt site to the detriment of the character and appearance of the Green Belt and the amenity of local residents.
9.2 Although, the Council seeks to encourage local businesses and supports diversification the proposed scheme has been looked at in great detail and the assessment reveals a number of areas of concern;

1. The frequency of proposed events resulting in an over intensified use of Green Belt land,

2. Loss of amenity to local residents caused by the number of wedding events throughout the summer months (1 March to 30 September), and

3. Noise and vibration levels emanating from the events, resulting in disturbance to local residents.

9.3 It is therefore proposed that further discussion take place with the Applicant to establish whether these issues can be satisfactorily resolved.

9.4 RECOMMENDED that permission be deferred for officers to hold further discussions with the applicant to find out if the issues causing concern can be resolved.
Item 4: 07/14/0561/F

Location: Pound Close Playing Fields, Stanstead Road, Hoddesdon,

Description: Erection of 5 no. three bed dwellings with associated amenity area and highway access

Applicant: Badger BC Investments Ltd

Agent: Mr A Cuffaro

Date Received: 30.06.2014 Date of Committee: 30.07.2014

Expiry Date: 25.08.2014 Officer Contact: Doug Cooper

RECOMMENDED that permission be granted subject to notification to Sport England of the Council’s resolution to grant permission and the conditions set out at the end of this report.

1. CONSULTATIONS

1.1 Herts County Highways – Response awaited – see paragraph 8.18.

1.2 Environmental Health – Landfill gas risk assessment required as there are several in-filled quarries nearby.

1.3 Sport England – Object on grounds of loss of playing field without suitable replacement – contending that the proposal is contrary to Sport England’s playing fields policy and paragraph 74 of the NPPF.

2. PUBLICITY

2.1 The application was advertised by means of a site notice and individual letters to neighbouring properties. The consultation period expired on 24th July 2014.

3. REPRESENTATIONS

3.1 There have been 19 responses from local residents to date. A type-written petition of 125 names has also been submitted in opposition to the scheme. The majority of the names are borough residents but there are some from other towns in England and 25 have overseas addresses. The overall concerns raised are summarised as follows:

- This is an important and long-standing local recreation ground and no part of it should be built on, and certainly not for housing. This is a densely populated area and the open space is used for exercise, games, organised sports and funfairs, especially for young people
- Is there not a covenant which protects this land?
- Parks should be out-of-bounds for development
• All the alternatives for funding have not been explored
• The views of the park from houses on Stanstead Rd will be blocked
• Other sites should be built before this one
• There is already a shortage of green open space in this area
• This will add more people and cars to an already busy area
• We need more primary schools – a community building is of no use to us

4. RELEVANT LOCAL PLAN POLICIES

4.1 The following policies of the Borough of Broxbourne Local Plan Second Review 2001-2011 (adopted December 2005) apply:

SUS3 Waste and Recycling
SUS12 Development on Contaminated Land
H2 Maximising the Development Potential of Sites
H8 Design Quality of Development
HD13 Design Principles
HD14 Design Statement on Local Character
HD16 Prevention of Town Cramming
CLT1 Community, Open Space and Recreational Facilities
T3 Transport & New Development
T10 Cycling Provison
T11 Car Parking
IMP2 Community & Infrastructure needs linked to new development

4.2 The Borough Supplementary Planning Guidance (SPG) August 2004 (updated 2013) is relevant as it provides design guidance for all forms of development.

4.3 The National Planning Policy Framework (NPPF) 2012 is also a material consideration as it sets out the Government’s planning policies for England and how these are expected to be applied. The chapters of particular relevance in this case are 6 (Housing), 7 (Design) and 8 (Promoting Healthy Communities).

5. LOCATION AND DESCRIPTION OF SITE

5.1 The application site is located at the western end of Rye Road close to the junction with Stanstead Road. It is on the southern side of the road and currently forms a part of the Pound Close Recreation Ground. There is pedestrian access from several directions while vehicle access is via a gated entrance to the immediate west of the application site. The site is rectangular and measures approximately 0.167 hectares. The site is adjoined to the north and west by dwellings. To the east is a commercial beauty salon with a flat above while to the south is the open recreation ground.

5.2 The site is presently close-mown grassland with a 2m elm hedge to the Rye Road frontage which is on top of a small earth bund. The land falls gradually from north to south.
Figure 1 - The proposal site
6. **RELEVANT PLANNING HISTORY**

6.1 There have been several operational approvals associated with the use of the site as a recreation ground.

6.2 An application for a community hall attached to pavilion/changing rooms with associated parking was granted permission 12th July 2010 (Ref: 07/09/0862) and permission was renewed 24th May 2013 (Ref: 07/13/0307).

7. **PROPOSAL**

7.1 The submitted scheme proposes the erection of two pairs of semi-detached three bedroom houses and one detached three bedroom house at the western end of the development. Each house would have three car parking spaces and a private rear garden.

7.2 The proposed dwellings would front Rye Road in a conventional manner with vehicle access via cross-overs.

7.3 The proposed buildings would be two storeys high and of similar scale to the surrounding properties. The design would be in traditional brickwork with a tiled roof and drawing elements from late 19th century buildings such as stone window detailing and decorative barge-boards.

7.4 The revenue received from this development would be used to pay for the youth club/community hall/changing facilities approved in 2010/2013. This would be located in the recreation ground on the Stanstead Road frontage to the west of the current proposal.
Figure 4 – Proposed site layout

Figures 7 & 8 – Proposed elevations and floorplans
8. **APPRAISAL**

8.1 The main issues for consideration in this case are as follows:

i) Principle of redeveloping the site for residential purposes;

ii) Design, layout, and appearance;

iii) Impact on amenity of neighbouring properties;

iv) Highways/Parking; and

v) Planning Obligations

Principle of redeveloping the site for residential use

8.2 The national policy context is provided by the NPPF and, in particular, paragraph 74 which advises against building on existing open spaces unless one of three alternative criteria is met:

- An assessment has been undertaken which has clearly shown the open space....to be surplus to requirements; or
- The loss resulting from the proposed development would be replaced elsewhere by equivalent or better provision in terms of quantity and quality in a suitable location; or
- The development is for alternative sports and recreational provision, the needs for which clearly outweighs the loss.
The adopted policy in the Local Plan which deals with such proposals is CLT1 (Community, Open Space and Recreational Facilities):

Planning permission will not be granted for development proposals or changes of use which would result in the loss of existing community and leisure facilities including places of worship or those recreational facilities listed at paras 7.11 and 7.12:

- The facility is not performing the functions for which it was provided, and does not have reasonable potential to do so; or
- (b) It can be demonstrated there is no detriment to facilities available in the area; or
- (c) Suitable alternative provision is made in a location which is equally or more accessible to the facility’s catchment area and to a similar or improved standard as that to be lost; or
- (d) Re-use for other purposes allows enhancement of other existing facilities serving the immediate area.

(ii) Proposals for community, open space and recreational facilities, including those for religious worship, commercial and club sports and arts facilities, will be permitted subject to compliance with other policies of this plan in respect of impact upon the green belt and/or adjoining residential or other development, access, car parking etc.

With regard to compliance with national policy, the proposal clearly does not fall within the scope of the first two allowable exceptions. The third arm of national policy dictates that development can proceed where it is for “alternative sports and recreational provision” albeit only where the needs for the new provision clearly outweigh the loss. The Local Plan allows the principle of re-use of open space where there is to be enhancement of existing facilities serving the immediate area. The current proposal before the Council would use the funds generated by these five houses to build a new youth club/local community facilities which would replace the hall on the corner of Walton Road and enhance the changing facilities on Pound Close recreation ground. Whilst there is always some degree of subjectivity in any weighing of merit, in this case it is considered on balance that the need for the new community building outweighs the loss of this part of the recreation ground in the absence of any other source of funding.

With regard to the objection from Sport England, the applicant is engaged in ongoing discussions relating to alternative sports pitch provision within the Borough and an update will be provided orally at committee.

It is considered that the principle of the scheme is acceptable and complies with the NPPF and Policy CLT1 of the Local Plan.
Design, layout and appearance

8.5 The layout of the proposed development would simply continue the built form which exists to the east along Rye Road, albeit with the house frontages set back from the line of the adjoining commercial/residential block. There is not a strong established building line along this part of Rye Road and the set-back is to provide generous front gardens and adequate parking space. In this context the set-back is not considered to be objectionable. The loss of openness at this part of the park boundary is regrettable but is not considered to be in itself a valid reason to withhold permission. In townscape terms the proposal is considered to be acceptable. As there would be a gap of 11m at the nearest point, there would not be a light angle issue for the new development in terms of the Council’s SPG.

8.6 In respect of appearance, the dwellings would be in a traditional style with brick facades, tile roofs and stone cills, window and door surrounds. To add to the traditional feel there are chimneys proposed and decorative barge boards to the front gable features. It is recommended that the external materials be controlled via a planning condition so as to ensure a high quality appearance is achieved.

8.7 With regard to unit sizes, each unit would exceed the minimum size set out in the Borough SPG for a 4 person house (85 square metres). The bedroom sizes all exceed the revised SPG size recommendations. There is no overlooking issue to the rear; the relationship to properties across Rye Road would be conventional across a suburban road.

8.8 The private amenity space provided for each house would exceed the SPG standard of 65 square metres for a three bedroom house and would have the stipulated depth of 10m. The recommended private amenity area requirements are met and each proposed dwelling would have a suitable domestic setting.

8.9 The proposal does not incorporate a refuse /recycling store area for each property. However, each house would have rear access and ample room in which to store refuse/recycling. A condition is recommended to cover this point and ensure that the size and location of the refuse storage areas would meet the Broxbourne Borough Wide Waste Supplementary Planning Guidance (September 2013).

8.10 It is not considered that the proposal represents over-development of the site as the density proposed is around 30 dwellings per hectare.

8.11 Overall it is considered that this scheme represents a high quality standard of layout and design that would contribute positively to the character and appearance of the locality. The proposal therefore complies with Local Plan Policies H8, HD13, HD14 and HD16.

Impact on the amenity of neighbouring properties

8.12 The proposal does not break the light angles to front or rear windows of the adjacent residential property which is at first floor level. At a distance of 11m to the flank of the garage of Plot 1 it is not considered that there would be a material increase in the sense of enclosure to the habitable rooms on the western flank.
There are no windows proposed in the flanks of the new houses, hence no loss of privacy to neighbours.

8.13 The development would not lead to a material loss of sunlight to the neighbouring property as the orientation of the blocks is to the west and there is a significant gap proposed between the development and the existing building.

8.14 Objection has been raised to the loss of openness for residents who face the site across Rye Road. While the five new houses would close the open aspect, in particular for occupiers who live opposite the site, there would be a distance of over 27m from the existing dwellings to the new front facades. This is not considered to represent a materially enclosing impact.

8.15 It is considered that the impact on amenity for immediate neighbours would be acceptable. Overall it is considered that the proposal complies with Local Plan Policies H8 and HD16 as it would maintain adequate privacy for both the neighbouring properties and future occupiers of the proposed development.

Highways/Parking

8.16 Vehicular access to the site would be via new crossovers from Rye Road, with adequate sight lines at each access. It is understood that the applicant has undertaken positive informal pre-application discussions with the Highway Authority but a formal response is awaited from the County Council. Any comments will be reported orally at committee.

Figure 9 – Existing road frontage
8.17 In terms of parking, the Council’s Interim Policy for Residential Car Parking Standards (February 2011) recommends 2.5 spaces per three bedroom dwelling. As the site is not within the accessibility corridor the full requirement of the guidance is sought. The proposed development would provide three off-street parking spaces for each property, including a garage for each house. The garage internal dimensions meet the 3m X 6m set out in the SPG. The level and quality of provision is considered to be acceptable.

8.18 A condition is proposed to ensure the proposal would provide cycle storage space for each house in accordance with Local Plan Policy T10.

8.19 Overall the proposed vehicular access into the site is considered to be appropriate. Adequate on-site parking and cycle storage would be provided. The proposed development therefore would not conflict with Local Plan Policies T3, T10 and T11, and the Council’s Interim Policy for Residential Car Parking Standards.

Other Matters

8.20 Other issues were raised by neighbouring properties which are not valid planning issues:

- Loss of views – views are not normally protected by planning regulation
- Matters relating to potential covenants are normally issues for the freeholder and any person or organisation seeking to enforce a covenant to resolve
- The access for the fairground would be retained and it is understood that there is adequate space to set up even with this proposed development.
- The majority of the existing elm hedge to the frontage would be likely to be lost in implementing this development. Advice from the Council’s tree officer suggests that as an elm hedge, it would not have a long life span as within a few years it is highly likely to be affected by Dutch Elm Disease. Conditions to provide a landscaped setting for the houses/gardens are recommended.
- A condition to undertake a risk assessment of gas emissions from nearby landfill is recommended.

Planning Obligations

8.21 It is considered that this scheme is subject to adopted Policy IMP2 and therefore the Council would normally seek a contribution towards objectives in the Sustainable Community Strategy of £3,000 for each of the 15 bedroom created. However, the development would be generating funds specifically hypothecated to community infrastructure on the adjoining site. In this context it is considered that a planning obligation is not necessary. The County Council has not to date commented on the range of planning contributions set out in their Toolkit but in a similar vein, it is not recommended that contributions should be provided in this case.
9. **CONCLUSION**

9.1 The proposed redevelopment of this site is considered to be acceptable in principle and in accordance with the provisions of the NPPF and the Local Plan. The proposal would provide necessary housing within the Borough along with much needed funding towards a local community/sporting facility. The impact on the highway would be acceptable.

9.2 The development would represent a good standard of layout and design that would contribute positively to the character and appearance of the area. The proposal would meet the Council's standards in respect of minimum dwelling sizes and it is considered that it would not have a materially adverse effect on the amenity of neighbouring residential occupiers. Members are recommended to support this application.

**RECOMMENDED** that planning permission be granted subject to notification to Sport England of the Council’s resolution to grant permission and the following conditions:

1) GEN01A Standard Time Limit – 3 years
2) GEN07 Development in Accordance With Numbered Plans
3) GEN13 Approval of Materials
4) GEN14 Approval of Surfacing Materials
5) GEN15 Fencing/boundary treatment
6) LS01 Landscaping Scheme Required
7) LS02 Landscaping Details
8) LS03 Replacement Planting
9) RES04 No Further Windows
10) Removal of Permitted Development Rights Classes A&B
11) Visibility splays on access
12) Wheel washing for construction vehicles
13) Construction vehicle management plan to be submitted and approved prior to commencement of works
14) On-site parking and turning for contractors vehicles
15) Access and junction arrangements
16) Vehicular areas shall be accessible, surfaced and marked
17) Cycle storage facilities
18) IND 14 Refuse disposal
19) GEN 17 Levels
20) Landfill gas risk assessment
21) Hours of construction work (8-6) Mon-Fri, 8-1 Sat and no Sundays or Bank Holidays
1. CONSULTATIONS

1.1 Hertfordshire Highways – No objection subject to conditions relating to access junction arrangement, surfacing of on-site parking, storage of construction materials, wheel cleaning facility and implementation of a Travel Plan.

1.2 ESS – No objection subject to conditions relating to sight lines, no obstruction in visibility area and applicant to comply with Council’s parking standards.

1.3 Thames Water – No objection, subject to a condition relating to provision of a piling method statement.

1.4 National Grid – No comments.

1.5 Environment Agency – No objection subject to conditions relating to mitigation of risks associated with contamination of the site to protect public drinking water supply.

1.6 Environmental Health – No objection subject to conditions relating to landfill gas risk assessment and land contamination investigation.

1.7 Leisure Services – No objection subject to landscaping condition.

1.8 Hertfordshire County Council Development Services, Property and Technology - Financial contributions required for education, childcare and youth and library facilities.
1.9 B3 Living – no comment

2. **PUBLICITY**

2.3 The application has been advertised by means of a site notice and letters to occupiers of surrounding properties: the site notice statutory period and the 21 day consultation letter date expired 3rd February 2014.

3. **REPRESENTATIONS**

3.1 No objections have been received from local residents.

4. **RELEVANT LOCAL PLAN POLICIES**

4.1 The following policies of the Borough of Broxbourne Local Plan Second Review 2001-2011 (adopted December 2005) apply:

- SUS3 Waste and recycling
- SUS12 Development on Contaminated Land
- SUS15 Ground and Surface Water Protection
- H2 Maximising the Development Potential from Sites
- H8 Design Quality of Development
- H11 Housing Densities in New Development on Unallocated Housing Sites
- H12 Housing Mix
- H13 Affordable Housing
- H14 Securing Provision of Affordable Housing
- EMP6 Local Employment Sites
- HD13 Design Principles
- HD14 Design Statement on Local Character
- HD16 Prevention of Town Cramming
- HD17 Retention/Enhancement of Landscape Features
- HD19 Waterside Green Chains
- T3 Transport and new development
- T10 Cycling Provision
- T11 Car parking
- IMP2 Community & Infrastructure Needs Linked to New Development

4.2 The Borough-wide Supplementary Planning Guidance (SPG) (August 2004, updated 2013) is relevant to this application as it provides design guidance for dwellings.

4.3 The National Planning Policy Framework (NPPF) 2012 is also relevant, particularly section 6 (Housing) and section 7 (Requiring Good Design).

4.4 The Council’s Essex Road Gateway Development Brief (April 2011) includes the Oaklands Yard site. In the brief the vision for the site is to deliver an attractive and high quality housing development.
5. **LOCATION AND DESCRIPTION OF SITE**

5.1 The application site, known as Oaklands Yard, is accessed off Essex Road and is currently mainly used for storage and distribution (Class B8), although a two storey office building is situated near the front of the site which is occupied by a cleaning company. Also occupying the site are D & D Commercial which has a vehicle repair garage and Eriscot Civil Engineering which has a storage area with a portacabin office.

5.2 Oaklands Yard is located approximately half a mile to the east of Hoddesdon town centre. The key employment/industrial area of North East Hoddesdon is located on the opposite side of the New River. The river runs along the south-eastern boundary and provides a natural barrier to the busy Essex Road and the industrial area beyond.

5.3 The site has an area of 0.87 hectares with approximate dimensions of 110 metres (south-west to north-east) by 95 metres (north to south).

5.4 Two storey residential dwellings in Stortford Road are located to the north-west and garages which are owned by B3 Living lie between the site and Stortford Road.
5.5 A new B3 Living residential development of 13 affordable two storey houses is under construction in New River Close. This is to the immediate north-east of Oaklands Yard and rear gardens of seven of the new dwellings back onto the application site with the flank of a further dwelling immediately beyond the eastern boundary.

5.6 The application site is fairly level, but there is a gentle slope up from Essex Road and a further slope up to dwellings in Stortford Road.

5.7 The site is located in a Source Protection Zone 1 which means groundwater here will form part of the public drinking water supply within 50 days.
View of the New River from the site

View across site to the north-east towards houses in Essex Road and Stortford Road
6. PROPOSAL

6.1 This is a full application for a residential development consisting of 11 two bedroom and 12 three bedroom houses and two blocks of three storey apartments comprising 14 one bedroom and 34 two bedroom apartments. These would all be accessed from the existing entrance off Essex Road.

6.2 There would be six different styles of houses, including detached, semi-detached and terraced. The houses would mainly be three storey town houses with rooms in the roof although two dwellings would be two storey. The height varies depending on the style of house, but the town houses would be approximately 10 metres high, and widths would be between 5.4 and 6 metres, with the length of houses between 8.4 and 9 metres. These would be arranged in five separate groups with adjacent surface car parking providing spaces for 75 vehicles. The apartment blocks would be approximately 30 metres long and 22 metres wide. The highest section of the roof of the apartments would be approximately 13 metres.

6.3 All except one of the houses would back on to Stortford Road or New River Close. There would be one house and 2 No. three storey blocks of apartments in the southern section of the site adjacent to the New River.
6.4 The flats would have basement parking for 66 cars, including three for disabled drivers. The parking deck would have a two way access between the two blocks of apartments.

6.5 In total there would be 71 dwellings providing 140 bedrooms.
6.6 There would be areas of landscaping for the setting of the dwellings including a ‘Village Green’ sitting area and a children’s play area near the centre of the site.

6.7 The proposal would include the demolition of the existing commercial buildings on the site.

7. RELEVANT HISTORY

7.1 The site has historically been used for commercial/industrial purposes. There have been no previous planning applications for residential use.

8. APPRAISAL

8.1 The main issues to consider are:

- The principle of redevelopment for residential use;
- Design, layout and appearance;
- Impact on amenity of neighbouring residential dwellings;
- Visual impact on the street scene;
- Highways and parking and,
- Planning Obligations

The principle of redevelopment for residential use

8.2 The NPPF (paragraph 47) requires Local Planning Authorities to “boost significantly the supply of housing” by retaining a five year supply of housing land. This site is included in the current list of SHLAA sites that contribute to that supply.
8.3 A design brief known as ‘Essex Road Gateway Development Brief’ (April 2011), includes five parcels of land, one to the north (Oaklands Yard), and four to the south of Essex Road. The brief considered that a change of use from storage/distribution (Class B8), to residential was appropriate for this site as long as the layout and design respects residential properties to the north and west.

8.4 The Head of Economic Development and Property has raised concerns about the loss of commercial land and would want to see a contribution towards addressing the loss which would be used to create jobs elsewhere within the Borough. Although the local employment site would be lost, the Council recognises the potential of this site for housing and Oaklands Yard and a development brief has been published (April 2011). The change of use therefore is considered acceptable in this instance.

8.5 Local Plan Policy EMP6 states that local employment sites for alternative uses will only be permitted where current occupiers can be satisfactorily accommodated on an alternative employment site within the Borough and the applicant has stated that all current occupiers will be re-located to other sites owned by him in the vicinity of Oaklands Yard. It appears that there will be no loss of employment caused by the redevelopment and no existing business occupier has made a representation to the Council. Also, the current commercial site abuts existing residential dwellings and there is a history of noise complaints so a residential use would be more compatible with the surrounding area.

8.6 The principle of residential use on this site is considered acceptable and complies with Policy EMP6.

Layout, Appearance and Design

8.7 The layout of the proposed development has been influenced by the size, shape and external features surrounding the site. The site lies adjacent to existing residential dwellings on two sides with Essex Road and the New River enclosing the remainder of the site.

8.8 The slightly elevated position of the site and the unrestricted views from Essex Road across the New River would result in the proposed dwellings fronting the New River being highly visible from the highway.

8.9 The two blocks of flats and the detached town house would be the most visible as they would be immediately adjacent to the boundary with the New River. To break up the built form, areas of surface car parking and landscaping would be provided between the blocks of residential development. There would be over 10 metres between the semi-detached town houses and apartment block A1 either side of the entrance off Essex Road, at least 20 metres between the two blocks of apartments when viewed from the river, and over 20 metres between apartment block A2 and the nearest town house adjacent to New River Close.
8.10 The modern design of the buildings provides irregular shapes with sections at different heights. This provides articulation within the design with differing levels of roof, variations in external materials and finishes, and features including balconies and a combination of box windows and flat windows of different sizes to provide interest and avoid an overly bulky appearance.

8.11 Many of the features that appear on the apartment buildings, such as window design, balconies and external finishes, are repeated on the houses to provide a comprehensive and distinctive design across the range of dwellings within the site.

8.12 The proposed development would provide a good quality and attractive design, although it would be more modern than the traditional style of existing dwellings in Stortford Road and the new development under construction in New River Close. The proposed scheme would not be viewed in direct comparison to neighbouring dwellings. The two storey terrace dwellings in New River Close would present a rear view to the New River, whereas side views of the nearest dwellings in Oaklands Yard visible from Essex Road would be of a flank elevation building with a hipped roof. Views of dwellings in Stortford Road from Essex Road would be mainly obscured by the proposed dwellings on Oaklands Yard and the dwellings would be situated at different levels and orientated at different angles from each other. Two blocks of garages separate Stortford Road dwellings from the site to the north-west and provide additional separation of approximately 16 metres.

8.13 The proposed development would include two and three bedroom houses, two of which would be a coach house style to allow cars to pass under to access surface car parking. The Council’s SPG sets out minimum dwelling sizes of 85 square metres for a four person house and 100 square metres for a five and six person house. This scheme would provide four person houses with a size of approximately 105 square metres, and five to six person houses approximately 110 square metres so minimum dwelling sizes would be achieved.

8.14 With regard to the size of the proposed apartments, the one bedroom flats would be 50 square metres and two bedroom flats would be a minimum of 60 square metres and maximum of 70 square metres. The SPG states that the minimum size of 1 or 2 person flats should be 50 square metres and 3 person flats should be at least 60 square metres. The sizes of the proposed apartments therefore either meet or exceed the Council’s minimum size standards.

8.15 In addition the bedrooms of the houses and apartments would either meet or exceed the recommended SPG standards of 12 square metres for double bedrooms and 7 square metres for single bedrooms.

8.16 All garden sizes for the houses would meet or exceed minimum size standards as detailed in the SPG.
8.17 An internal refuse area is included in the design of the apartments. The dimension of the refuse store complies with the Council’s Waste Management Supplementary Guidance standards (September 2013), which requires 0.10 and 0.13 of a Eurobin for one and two bed apartments respectively which equates to six Eurobins per block. All the houses are provided with a means of access to the rear gardens so that waste and recycling bins can be stored out of public view.

8.18 With regard to the density of development, the proposals would amount to approximately 82 dwellings per hectare (dph). Local Plan Policy H11 recommends that the development should be compatible with the general prevailing density of existing housing in the vicinity provided it is not below 30 dph. The density would exceed the density levels of properties in New River Close which are 45 dph and the immediately surrounding area which comprises mainly of houses. However, the proposed development includes two blocks of apartments with basement parking and whilst the notional density may be higher the blocks contribute strongly to the development without resulting in overdevelopment. Residential use of the site would be a material improvement to the existing industrial character of the area and the proposal represents a good use of land which accords with the Council’s design brief.

8.19 The proposed development, although adjacent to the New River and the sloping grass banks on either side, would not have a materially detrimental effect upon the open character of the waterside green chain as it would replace views of unsightly storage containers and industrial open storage along the river side with attractive housing and additional soft landscaping adjacent to the river bank.

8.20 There are a few poor quality, possibly self set, trees within the site which equate to six individual trees and three small groups. All trees within the site are recommended for removal in an Arboricultural report submitted with the application. To mitigate against the loss of trees a planting scheme is proposed as part of the landscaping for the site for which a condition is proposed. This will lead to an overall gain in the number and quality of trees.

8.21 Japanese knotweed has been identified, spreading from the north-east corner of the site. A management plan is advised by the Arboriculturist to eliminate the plant in this area.

8.22 Overall it is considered that this mixed housing scheme represents a good quality of design and layout that would greatly improve the current appearance of the area, make more effective use of the land and provide additional landscaping. The proposal therefore complies with Local Plan Policies H2, H8, H11, H12, HD13, HD14, HD16, HD17, HD19 and SUS3.
Amenity and Impact on Neighbours

8.23 Local Plan Policies H8 and HD16, together with the Council’s SPG seek to ensure that new development proposals do not materially harm the amenities of existing local residents. The nearest existing dwellings surrounding the site are two storey dwellings in Stortford Road with a window to window distance of approximately 30 metres. New two storey dwellings are under construction in New River Close that back on to the Oaklands Yard site. These have rear gardens between 9.5 and 8.5 metres long, whereas rear gardens of the proposed dwellings would be at least 16 metres deep. Therefore, a window to window distance of approximately 25 metres can be achieved so there would be no material loss of privacy to local residents.

8.24 Within the site, houses with an adjacent coach arch or with windows facing blank walls have windows of habitable rooms located to the side or rear so that a reasonable outlook is achieved. The exception is plot 19 but as this has windows 12 metres from a flank wall it still complies with the SPG. Throughout the site the internal room layout has been designed so that windows to habitable rooms do not face each other in too close proximity. The distance between habitable rooms achieves at least minimum window to window distance of 30 metres for three storey dwellings. The only ‘pinch point’ occurs where a pair of semi-detached houses face apartment block A1 at a distance of approximately 10.5 metres. Here a ground floor kitchen window of the house on plot 2 faces a bedroom window in the opposite apartment. However as the bedroom has dual aspect, one window could be obscure glazed to avoid loss of privacy.

8.25 Overall it is considered that the proposal complies with Policy H8 and the Council’s SPG as adequate privacy for both occupiers of neighbouring properties and future occupiers of the proposed development would be achieved.

Highways and Parking

8.26 Hertfordshire Highways has reviewed the proposal and no objection has been raised, subject to conditions being added including the submission and implementation of an approved travel plan to promote sustainable transport measures as the site is approximately 520 metres from the nearest bus stop on Brewery Road and around 1.2 kilometres from Rye Park Rail Station. However, Highways state that a reasonable service is available by bus and rail from these locations.

8.27 As the site is currently used for commercial purposes a mixture of vehicles, including HGVs, access the site and no changes are to be made to the existing entrance off Essex Road. With the proposed change to residential use the type of vehicles likely to access the site would become more car based which the highway authority regard as an improvement, The applicant has used a TRICS database which predicts a total of 275 two-way trips would be generated from the residential development in a 24 hour day. Highways’s has not raised an objection to either the level of peak hour trips or the overall trip rate and state that there would be no significant impact on the local highway.
With regard to parking, the Council’s Interim Policy for Residential Car Parking Standards (February 2011), recommends 1.5 spaces for one bedroom dwellings, 2 spaces for two bedroom properties and 2.5 spaces for three bedrooms. On this site 71 dwellings are proposed that would contain a mixture of one, two and three bedroom properties. In order to comply with the Council’s parking standards a total of 135 spaces would be required. The proposed scheme would provide 75 surface parking spaces for the houses and 66 basement spaces for the flats, including three bays for the disabled giving a total of 141 spaces.

In compliance with Local Plan Policy T10 there would be twelve cycle spaces provided.

Overall vehicle trips to and from the site would be of an acceptable level so as not to have a significant impact on the local highway, the access to the site would not change and adequate on-site parking would be provided. The proposed development therefore complies with Local Plan policies T3, T11 and T10.

Planning obligation

It is considered that this proposal is subject to adopted Policy IMP2 and therefore the Council would seek a contribution towards objectives in the Sustainable Community Strategy of £3000 per bedroom. Additionally, Hertfordshire County Council has requested £62,000 towards sustainable transport and improvement to the bridge over the New River, £70,000 for primary education, £55,308 for secondary education, £4410 for childcare, £1260 for youth facilities and £9457 for libraries.

This means the total contribution sought is £622,435

The request for a financial contribution is considered acceptable as it meets the requirements of the three statutory tests; it is necessary to make the development acceptable in planning terms, it is directly related to the development and it is reasonably/fairly related in scale to the development.

In addition, as the proposed development is for 71 dwellings, 40 percent affordable housing would be sought to comply with Local Plan Policy H13.

The applicant has provided an Economic Viability Assessment which seeks to demonstrate that the costs involved in developing the site allow no profit margin to meet the contribution sought. A critical appraisal of the Economic Viability Assessment has consequently been carried out by an independent firm at the request of the Council. This concludes that the existing use value may be overstated and that more evidence is needed from the applicant before it could be accepted that affordable housing and Section 106 contribution would not be required. It is therefore proposed that the Council seeks additional evidence, and the matter of Section 106 contribution and affordable housing be deferred by Planning and Regulatory Committee for decision by the Chief Executive and Head of Planning and Development in consultation with the Chairman
Other Matters

8.35 Due to the historic use of the site there is likely to be some contamination of the land, and an investigation into this matter would be requested by condition.

9.0 SUMMARY

9.1 The proposed development of the site is considered to be acceptable in principle and to accord with the provisions of the NPPF, the Local Plan and the Council’s Essex Road Gateway Development Brief. The proposal would provide much needed housing within the Borough whilst improving the appearance of the area. There would be a loss of commercial land, but the applicant has stated that the current businesses within the site would be relocated nearby on land within his ownership, so it is likely there would be no job losses.

9.2 The development would provide a high standard design and layout that would contribute positively to the character and appearance of the site adjacent to the New River. The Council’s standards in respect to minimum dwelling, bedroom and garden sizes would be met and there would be no materially detrimental impact on the amenity of occupiers of surrounding residential dwellings. Members are therefore recommended to support this application.

RECOMMENDED that permission be granted subject to the completion of a Section 106 agreement and the following conditions:

1. Standard time limit – 3 years
2. Development in accordance with numbered plans
3. Approval of materials
4. Approval of surfacing materials
5. Fencing
6. Landscaping Scheme required
7. Landscaping details
8. Replacement planting
9. Protection of adjacent trees
10. Obscured glazing on secondary bedroom window of south-western flat in apartment block A1
11. No further windows
12. Permitted development rights withdrawn for use Classes A, B and F
13. Access junction arrangement serving the development to be completed to the specification of the highway authority and the satisfaction of the local planning authority
14. On-site vehicular areas to be surfaced before occupation
15. Retention of parking
16. Storage of construction materials and vehicles clear of the highway
17. No obstruction in visibility area of access above 600mm
18. Drainage details required
19. Wheel cleaning facilities to be provided during construction
20. Travel Plan to be submitted and implemented as approved
21. Piling method statement to be provided prior to commencement of development including proof that there would be no resultant unacceptable risk to groundwater
22. Landfill Gas risk assessment
23. Land contamination investigation
24. No occupation of the approved development until verified that any remedial work required from the contaminated land investigation has been completed as required
25. Any additional forms of contamination found during development shall be subject to a remediation strategy and no further works carried out until the remediation strategy has been implemented as approved
26. No infiltration of surface water drainage into the ground.

Informative

1. Special precautions required due to proximity to the New River aqueduct
2. Applicant is advised to refer to information and guidance provided by the Environment Agency in relation to land contamination and groundwater protection principles.

<table>
<thead>
<tr>
<th>Item 6:</th>
<th>07/14/0527F</th>
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<tbody>
<tr>
<td>Location:</td>
<td>Rosebury Farm, Crouch Lane, Goffs Oak</td>
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<tr>
<td>Description:</td>
<td>Erection of three detached residential dwellings with associated access, parking and landscaping following demolition of all existing commercial and residential buildings.</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mr L &amp; R Baynham c/o Bidwells</td>
</tr>
<tr>
<td>Date Received:</td>
<td>18.06.2014</td>
</tr>
<tr>
<td>Expiry Date:</td>
<td>13.08.2014</td>
</tr>
<tr>
<td>Date of Committee:</td>
<td>30.07.14</td>
</tr>
<tr>
<td>Officer Contact:</td>
<td>Peter Quaile</td>
</tr>
</tbody>
</table>

RECOMMENDED that: planning permission be granted subject to completion of a planning obligation under section 106 of the Town and Country Planning Act 1990 (as amended) and the conditions set out at the end of this report. Permission is also subject to the application first being submitted to the Secretary of State as the site is over 0.5ha
1. CONSULTATIONS

1.1 HCC Highways: Reply awaited (no objection to previous scheme)

2. PUBLICITY

2.1 The application was advertised by means of a site notice, newspaper advert and letters to the occupiers of the neighbouring properties. The consultation period expired on 15th July 2014.

3. REPRESENTATIONS

3.1 No letters of objection have been received from any local residents.

4. RELEVANT LOCAL PLAN POLICIES

4.1 The following policies of the Borough of Broxbourne Local Plan Second Review 2001-2011 (adopted December 2005) apply:

SUS12 Contamination
SUS14 Water Supply, Waste Water Treatment & Water Conservation
SUS18 Surface Water Drainage
GBC2 Development within the Green Belt
GBC13 Replacement dwellings in the Green Belt
GBC16 Landscape Character Areas and Enhancement
GBC20 Protected Species
H8 Design Quality of Development
H13 Affordable Housing
EMP6 Local Employment Sites
HD13 Design Principles
HD14 Design Statement on Local Character
HD17 Retention/Enhancement of Landscape Features
T3 Transport & New Development
T6 Rural Roads
T11 Car Parking
IMP2 Community & Infrastructure needs linked to new development

4.2 The Borough Supplementary Planning Guidance (SPG) (August 2004) is relevant in this case as it provides design guidance for all forms of development.

4.3 The National Planning Policy Framework (NPPF) 2012 also needs to be considered as it sets out the Government’s planning policies for England and how these are expected to be applied. The chapter of particular relevance in this case is 9 (Protecting Green Belt Land) but chapter 6 (Delivering a Wide Choice of High Quality Homes) is also relevant.
5. **LOCATION AND DESCRIPTION OF SITE**

5.1 The application site is located within the Green Belt in between Crouch Lane to the north and St James Road to the south. The site, which measures 0.55 hectares, is currently occupied by a complex of single storey buildings that were originally built for agricultural purposes. Although the majority of these buildings are now vacant, the workshops, sheds and part of the land at the northern end are now used for the storage and repair of vehicles. A lawfully established residential dwelling also occupies the north east corner of the complex. Although the southern and western parts of the site predominantly consist of open grassland there are some existing hedgerows and trees around the perimeter of which the largest are some willows along the southern boundary.
5.2 There is an adjoining residential property immediately to the north-west (The Brambles); the site is surrounded on three sides by agricultural land. Public views of the site are screened by mature hedgerows interspersed with trees to the northern and eastern boundaries.

![Internal view of existing buildings at Rosebury Farm from the south](image1)

View of application site from Crouch Lane to the north
View of site from the entrance to Malaya Farm to the north east

View of application site from public footpath to the east
6. RELEVANT PLANNING HISTORY

6.1 In 2011 Lawful Development Certificates were approved for both the existing use of part of the building as a residential dwelling (07/11/0264/LDC) and for the use of the land as a stud farm and for vehicle repairs/maintenance (07/11/0580/LDC).

6.2 A previous application submitted under LPA ref: 7/13/0046/F for the erection of three large detached houses on this site was withdrawn prior to the March 2013 committee meeting as it had been recommended for refusal.

6.3 The most recent proposal, submitted under LPA ref: 7/13/0680/F, was for the erection of three 4/5 bedroom houses (1no. detached and 2no. semi-detached). This application was refused late last year and the appeal was dismissed on 13th March 2014. There were two reasons for refusal:

- The impact of the proposal on the openness of the Green Belt
- The failure of the applicant to enter into a planning obligation

These issues are discussed in the main body of the report.

7. PROPOSAL

7.1 This revised application seeks full planning permission for the demolition of all existing buildings and the erection of three detached dwellings; two would have 4 bedrooms and one would have 5 bedrooms. Plots 1 and 3 would have one floor of accommodation while the middle plot would have two bedrooms in a first floor. Each would have a large private rear garden and a driveway to the front that can accommodate at least three cars. It is proposed that vehicular access to the site will be provided via a new shared roadway using the existing entrance onto Crouch Lane.
Proposed site layout

Previous proposed site layout
Proposed eastern elevations Plot 1, 2 & 3 (with outline of refused scheme)

Previous proposed elevations Plot 1, 2 & 3

8. **APPRAISAL**

8.1 The main issues for consideration in this case are as follows:

i) The principle of redevelopment for residential use in the Green Belt;
ii) The design, layout, & appearance of the development;
iii) The impact on the amenity of existing & future residential occupiers;
iv) The impact on highway safety and parking;
v) The impact on trees and local wildlife;
vi) Ground contamination; and
vii) S106 Planning Obligations
Principle of Development

8.2 Policy GBC2 of the Broxbourne Local Plan 2005 states that within the Green Belt permission will not be granted for development other than for the purposes of agriculture, forestry, essential facilities for outdoor sport/recreation, limited extensions/replacement dwellings and other uses of land which preserve the openness of the Green Belt and the purpose of including land within it.

8.3 The National Planning Framework (NPPF) has, however, extended the list of development types which are not deemed to be inappropriate in the Green Belt to include:

“limited infilling or partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development”.

8.4 The change in emphasis in the NPPF promotes the adoption of a more positive approach towards the redevelopment of derelict green belt sites provided that the openness of the Green Belt is not materially harmed. It does not, however, permit the redevelopment of any site simply because it is untidy or contains unattractive buildings. Every site is required to be assessed on an individual basis to determine whether or not there are particular circumstances and what impact the proposed redevelopment will have on openness.

8.5 Following the dismissal at appeal of planning application ref: 07/13/0680/F the layout and detailed design of the scheme have been significantly revised so that the houses would be in line, running north-south and set towards the eastern side of the site. The houses have been positioned so as to roughly coincide with the area currently occupied by buildings. The gardens would run to the western boundary to the south of The Brambles. The scheme retains the open landscaped paddock area to the northern boundary which fronts Crouch Lane.

8.6 The introduction of new houses rarely enhances the rural character of green belt areas. There are, however, notable exceptions and the appearance of this site would be much improved with the removal of the established commercial uses. In policy terms, the main issue is considered to be whether the impact on the openness of the Green Belt would be greater than the current buildings. The proposal would result in a reduction in built footprint from 1175m² to 805m² (31.4%). The heights of the proposed dwellings would range from around 1m taller than the existing buildings at the northern plot (1) and around 2m taller at the southern plot (3). This can be compared with the previous scheme dismissed at appeal which was up to 4m taller than the existing buildings. The highest point of the current proposal would approximately align with the eaves of the neighbouring residential property at The Brambles. In this context, it is considered that while there will be a modest loss of openness, the reduction in built footprint and removal of non-conforming commercial uses when combined will mean that overall the impact on the Green Belt is acceptable. Members should note that the Inspector at the recent appeal did not object to the principle of housing on this site but considered that the much taller and bulkier proposed buildings and the layout which
“would extend across the breadth of the site” in conjunction would result in significant harm to the Green Belt through loss of openness. The houses are now proposed to be set out in line down the site. It is considered that the revised scheme addresses the issue of openness successfully.

8.7 Paragraph 55 of the NPPF states that “Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances”. The application site is not in a sustainable location as it is detached from the existing built up area and some distance from any local shops, services or other facilities. Future occupiers of the proposed dwellings would be primarily car dependant. Against this, the proposal would secure ecological/landscape enhancements, a significant reduction in vehicle movements and decontamination of the site. At the appeal on the previous scheme the Council proposed that the overall sustainability of the scheme should be further improved by requiring new houses to achieve a Code Level 5 under the Code for Sustainable Homes secured through a section 106 agreement. This approach was not supported by the Inspector.

8.8 The issue of openness is to some degree a subjective judgement. In this case it is considered that although the proposed dwellings would be taller than the existing structures, they would not have a significantly greater impact on the openness of the Green Belt. The proposed redevelopment would secure benefits to the character and attractiveness of the Green Belt through replacement of a number of unattractive buildings and incompatible uses with a low density housing development set within a landscaped setting. The principle of the proposed redevelopment is therefore considered to be acceptable in the context of the advice set out in paragraphs 55 and 89 of the NPPF.

Design, layout & appearance

8.1 The application proposes the erection of three detached dwellings on the site of the existing buildings. The dwelling on Plot 1 would be set back around 50m from Crouch Lane. All three dwellings would be sited at least 10m from the site boundaries. The proposal would significantly enhance the frontage of the site by replacing the lawful open car storage use with an attractive open paddock, a boundary hedge and tree planting. It is proposed that each of the proposed dwellings would be granted an equal part share of the freehold ownership of all communal areas in the northern part of the site including the paddock and driveway. The properties would therefore have joint responsibility for the future management and maintenance of these spaces. This responsibility would pass on to any future owners of the houses. The paddock to the south of the site would remain in the ownership of the applicant with rights of access via the shared driveway. A condition is recommended to secure good future management of the overall site.
8.10 This revised scheme redesigns the houses in the style of converted agricultural barns. The external materials would be brick plinths with weatherboard above and plain or pantile roofs. A variety of forms and roof shapes with full/crop hips and gables is proposed along with elements of full-height glazing which would replicate converted barns and add articulation and interest to the facades. These would be houses of substantial floor area but are considered to be well-designed to break up the bulk and minimise the height to the benefit of this semi-rural location.

8.11 Overall it is considered that the proposed layout of houses within generous and well landscaped plots, together with the substantial setback from Crouch Lane and the acceptable height, scale and form of the dwellings would achieve a development that is compatible with the character of the surrounding area.

8.12 Overall the design and layout of the proposal are considered to be acceptable and, subject to the submission of acceptable facing/roofing materials, would comply with Local Plan Policies H8, HD13 and HD14 and the advice contained in the Borough-Wide Supplementary Planning Guidance.

Impact on amenity of existing and future residential occupiers

8.13 The proposed dwelling on Plot 1 at it closest point would be around 35m away from the nearest residential property to the north-west (The Brambles), with Plots 2 and 3 even further away and set at a lower level. There are no windows proposed in the north-facing wing of Plot 1 nearest to The Brambles, there is thick vegetation on the mutual garden boundary and Plot I does not have first floor accommodation. The proposal would therefore not have a detrimental impact on the amenity of the neighbouring residential property in terms of overlooking, loss of light or impact on outlook.
With regard to internal dimensions each of the dwellings comfortably exceeds the minimum size set out in the Borough SPG for 6 person houses (100m²), whilst each bedroom would also be above the recommended SPG standards. The three dwellings would all have a private garden well above the maximum requirement of 80/100m² set out in the Borough SPG.

It is proposed that waste water will be disposed of via a bio disc treatment plant on each plot. This is considered to be an acceptable solution in this location. The proposed dwellings would be able to connect to the existing water main that runs along Crouch Lane.

Overall it is considered that the proposal complies with Part (I)(c) of Local Plan Policy H8 as it would not materially harm the amenity of neighbouring residential occupiers in terms of overlooking, loss of light or impact on outlook.

Highways/Parking

The submitted Transport Assessment indicates that the lawful uses on the site could generate up to 42 two way trips in AM peak periods and 24 two way trips in PM peak periods. It also states that the proposed development could generate up to 6 two way trips in the AM peak period and 6 two way trips in the PM peak period. This is considered to be a reasonable estimate of the proposed trip generation. Taking into account the significant reduction in trip rates likely to result it is considered that the overall impact on the surrounding highway network would be positive.
8.18 The County Council's Engineer did not object to the previous proposal, subject to the imposition of conditions relating to sight lines, on-site vehicle turning, visibility obstruction and drainage. A verbal update will be given at committee.

8.19 The proposed dwellings would each be provided with a front driveway that could accommodate at least 3 cars, and this would meet the Council’s recommended parking standard for dwellings with four or more bedrooms.

8.20 Overall, vehicle trips to and from the site would be reduced, the proposed vehicular access into the site is considered to be appropriate and sufficient on-site parking would be provided. The proposed development therefore complies with Local Plan Policies T3, T6 & T11, and the Council's Interim Policy for Residential Car Parking Standards.

Trees & Wildlife

8.21 Aside from the existing buildings, the application site predominantly consists of open grassland with some existing hedgerows and small trees around the perimeter. The proposed redevelopment would therefore not result in the loss of any important landscape features.

8.22 A landscaping scheme has been submitted as part of the application which proposes the planting of new hedgerows around the perimeter of the residential gardens, together with a number of trees throughout the site. Although this would enhance the surrounding landscape it is considered that the visual impact of the proposed development could be better assimilated into the area by planting further trees around the boundaries of the site. A condition is therefore recommended requiring the submission of an upgraded landscaping scheme.

8.23 The site is not located within a designated wildlife site but the applicant has provided a Preliminary Ecological Appraisal & Bat Roosting Assessment. This report concludes that: (1) the proposal is unlikely to impact upon any important species as none of the habitats on site is notably important or protected; and (2) the existing buildings are unsuitable for roosting bats. It also recommends that the existing ditch along the eastern site boundary is improved to provide an enhanced habitat for aquatic invertebrates.

8.24 Overall it is considered that the proposal would comply with Local Plan Policies GBC16, GBC20 and HD17 as it would not result in the loss of any important landscape features or have a materially adverse impact on any protected wildlife species.
Ground Contamination

8.25 As a result of both the historic agricultural use of the site and the more recent vehicle repairs/maintenance use it is considered that the land is likely to be contaminated. This is supported by the previously submitted Phase 1 Preliminary Risk Assessment which recommended that a Phase 2 Site Investigation is carried out. A condition is therefore recommended requiring this additional work to be carried out and any necessary mitigation measures to be completed prior to the commencement of any works.

Affordable Housing

8.26 Policy H13 of the Local Plan states that affordable housing is sought where the number of units to be provided exceeds 14 units or the site area is greater than 0.5 hectares. Although this site is larger than 0.5ha, it is not considered that on-site affordable housing is appropriate. An off-site contribution was sought from the previous scheme but this element of the planning obligation was not supported by the appeal Inspector. In this context it is considered that affordable housing on or off site should not be pursued.

9. PLANNING OBLIGATIONS

9.1 Should the Committee support the proposals it is recommended that the grant of planning permission be subject to the completion of a planning obligation in accordance with Local Plan Policy IMP2. It is considered that the following contribution would be necessary, reasonable and related in scale and kind to the development proposed.

- **Contribution to Local Community Facilities - £36,000 (£3000 X 12 bedrooms taking account of the existing dwelling on site)**

9.3 At the time of writing this report the principle of the contribution had been accepted by the applicant but the unilateral obligation has yet to be received.

10. CONCLUSION

10.1 The principle of the proposal is acceptable as it would involve the redevelopment of a previously developed (brownfield) site. This proposal for three houses (a net gain of two units), has been amended to address Council concerns relating primarily to the impact on openness on this Green Belt site. The changes are now considered to meet the requirements of the National Planning Policy Framework in this regard as it is considered that there would not be a materially greater impact on the openness of the Green Belt than the existing development. The proposal also provides an opportunity to enhance the character and appearance of the Green Belt by removing a number of unattractive buildings/uses and by introducing an attractive landscaped setting. Although the proposed development would result in the creation of three houses at some distance from the main built up area, there would be significant environmental benefits, including ecological/landscape enhancement and site remediation. The design and layout of the proposal would respect the semi-rural character of the area. It would not have an adverse effect on
the amenity of the neighbouring residential property or any protected wildlife species, nor would it result in the loss of any important landscape features. It would also meet the Council's standards in respect of off-street parking and minimum dwelling/bedroom/garden sizes. The application is recommended for approval

RECOMMENDED that: planning permission be granted subject to completion of a planning obligation under section 106 of the Town and Country Planning Act 1990 (as amended) and the conditions set out below. Permission is also subject to the application first being submitted to the Secretary of State as the site is over 0.5ha

1) GEN01A Standard Time Limit – 3 years
2) GEN07 Development in Accordance With Numbered Plans
3) GEN13 Approval of Materials
4) GEN14 Approval of Surfacing Materials
5) GEN15 Fencing
6) LS01 Landscaping Scheme (notwithstanding)
7) LS02 Landscaping Details
8) LS03 Replacement Planting
9) LS04 No felling
10) LS06 No felling of trees agreed to be retained
11) LS07 Protection of trees
12) LS08 Implementation of approved landscaping
13) LS09 Works under tree canopy
14) RES01 Permitted Development rights withdrawn Classes A-F
15) RES11 Private vehicles only – car spaces
16) Hours of construction work (8-4 Mon-Fri, 8-1 Sat and no Sundays or Bank Holidays)
17) Phase 2 Site Investigation to be submitted and any recommended mitigation measures to be completed prior to the commencement of any works.
18) Ecological enhancement of existing southern boundary ditch
19) The land outlined in blue on the approved site location plan shall only be used for the purposes identified on the approved plan.
20) Submission of site management plan
The following schedule sets out the applications outstanding in excess of the Statutory 8 week/13 week period as at 30\textsuperscript{th} July 2014.

<table>
<thead>
<tr>
<th>Ref No</th>
<th>Description &amp; Location</th>
<th>Reason for Delay/Comments</th>
<th>Expiry date</th>
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<tbody>
<tr>
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<td><strong>LARGESCALE MAJOR</strong></td>
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<td><strong>SMALLSCALE MAJOR</strong></td>
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<tr>
<td>07/14/0076/F</td>
<td>Demolition of all existing buildings and replacement with the erection of 79 residential dwellings comprising 12 apartments and 67 houses, provision of open spaces and landscaping, provision of an internal vehicular network and associated highway works and car parking, and creation of an attenuation pond - Former St Marys High School Site, Churchgate, Cheshunt</td>
<td>Awaiting s.106 obligation.</td>
<td>25.04.2014</td>
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<td></td>
<td>TOTAL SMALLSCALE MAJOR THIS MONTH: 1</td>
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<tr>
<td></td>
<td><strong>MINOR</strong></td>
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<tr>
<td>07/11/0043/F</td>
<td>Change of use of the existing first floor of the property from B1 office and premises to C3 residential dwelling, subdivision of first floor to create 4 no. self-contained residential flats - 89-93 Turners Hill Cheshunt</td>
<td>Awaiting withdrawal.</td>
<td>17.03.2011</td>
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<tr>
<td>07/11/0730/O</td>
<td>Outline application for new footbridge over railway line at Park Lane, including bridleway route via level crossing to be discontinued with new alternative pedestrian footpath, cycle/bridleway route (Refer 07/11/0731/F) - Land opposite 116 Park Lane Waltham Cross</td>
<td>Awaiting s.106 obligation.</td>
<td>10.11.2011</td>
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<tr>
<td>07/12/0136/F</td>
<td>Demolition of existing timber framed extension and construction of a new single storey rear extension to existing A3 shop premises - 37 High Road Broxbourne</td>
<td>Awaiting s.106 obligation.</td>
<td>12.04.2012</td>
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<td>Application Date</td>
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<td>Decision Status</td>
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<tr>
<td>07/12/0703/O</td>
<td>Outline application for first floor rear and side extensions, addition of a second floor and conversion to provide seven residential apartments (Re-submission 07/12/0064/O) - 75-81 High Street Waltham Cross</td>
<td>Awaiting s.106 obligation and additional information re parking</td>
<td>13.03.2013</td>
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<tr>
<td>07/12/0903/O</td>
<td>Outline application for residential redevelopment of 4 two bed dwellings - Land adjacent to 15 Whittingstall Road Hoddesdon</td>
<td>Awaiting s.106 obligation</td>
<td>21.01.2013</td>
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<tr>
<td>07/13/0608/F</td>
<td>Construction of 3 no. additional two bed flats at third floor level - Former Hoddesdon Snooker Club site Conduit Lane Hoddesdon</td>
<td>Awaiting clarification on S106 from applicant</td>
<td>10.09.2013</td>
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<tr>
<td>07/13/0980/F</td>
<td>Erection of 2 no. two storey blocks to provide 32 rooms with communal facilities and parking for occupation in association with The Vicarage (Re-submission 07/13/0071/F)</td>
<td>Awaiting s.106 obligation</td>
<td>17.01.2014</td>
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<tr>
<td>07/13/1070/O</td>
<td>Outline application for residential development consisting of three dwellings - Former Rivers Educational Support Centre Cameron Drive Waltham Cross</td>
<td>Awaiting s.106 obligation</td>
<td>17.02.2014</td>
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<tr>
<td>07/14/0123/F</td>
<td>Single storey side extension to Unit 4 to create new unit for B2/B8 (General Industrial and Storage) use - Land adjacent to Unit 4 Haslemere Industrial Estate Charlton Mead Lane Hoddesdon</td>
<td>Awaiting s.106 obligation</td>
<td>23.05.2014</td>
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<tr>
<td>07/14/0140/F</td>
<td>Erection of a three bed detached dwelling (Re-submission 07/13/0992/F) - Land adjacent to The Vicarage Ogard Road Hoddesdon</td>
<td>Awaiting s.106 obligation</td>
<td>10.04.2014</td>
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<tr>
<td>07/14/0232/F</td>
<td>Single storey rear extension and change of use to create ground floor restaurant and 2 no. one bedroom first floor flats (Re-submission 07/13/1034/F) Refer listed building application 07/14/0233/LB - 94-96 High Street Hoddesdon</td>
<td>Awaiting s.106 obligation</td>
<td>31.07.2014</td>
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<tr>
<td>07/14/0287/F</td>
<td>Demolition of existing bungalow and erection of a two storey four bed detached dwelling - 36 Millcrest Road Goffs Oak</td>
<td>Awaiting s.106 obligation</td>
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<td>07/14/0289/F</td>
<td>Removal of condition 3 of planning permission 07/10/0243/F &quot;The stables hereby approved shall be used solely for the keeping of horses owned by the site owner and for no other purposes&quot; - Land at Bury Green Road Theobalds Manor</td>
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<td>07/14/0330/F</td>
<td>Two storey rear extension to convenience store/office (Refer 7/0499/08/F/WX) - Petrol Filling Station, 111 Eleanor Cross Road, Waltham Cross</td>
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<td>07/14/0335/O</td>
<td>Outline application for the erection of a two bed detached dwelling (Re-submission 07/13/0577/O) - Land rear of 83 Norris Rise Hoddesdon</td>
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TOTAL MINOR THIS MONTH: 12
TOTAL MINOR LAST MONTH: 13

**Other**

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<td>7/0287/08/F/WOL</td>
<td>Change of use of ground and first floor to (B1) offices (Re-submission 7/1207/07/F/WOL) - 206 Turners Hill Cheshunt</td>
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<td>07/12/0253/LDC</td>
<td>Certificate of lawfulness for an existing use of part garden for the storage of building materials part open and part enclosed - 2 Longfield Lane Cheshunt</td>
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<tr>
<td>07/13/0107/F</td>
<td>Change of use of first floor and loft from offices (B1) to residential three bed self contained flat (C3) - 120 High Street Waltham Cross</td>
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<tr>
<td>07/13/0139/F</td>
<td>Continued use of The Vicarage as a 17 bed hostel - 11 Amwell Street Hoddesdon</td>
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<tr>
<td>07/13/0225/F</td>
<td>Change of use of first floor offices into one bedroom flat (Re-submission 0713/0087/F) - 105A High Street Waltham Cross</td>
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<td>07/14/0233/LB</td>
<td>Listed building consent for a single storey rear extension and change of use to create ground floor restaurant and 2 no. one bedroom first floor flats (Re-submission 07/13/1035/LB) Refer 07/14/0232/F - 94-96 High Street Hoddesdon</td>
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<td>07/14/0280/F</td>
<td>Small animal sanctuary with visitor facilities including ancillary outbuildings and various non-illuminated signage (Re-submission 07/13/0491/F) - Lucky Horse Shoes Sanctuary, Cock Lane, Hoddesdon</td>
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**TOTAL OTHERS THIS MONTH:** 3  
**TOTAL OTHERS LAST MONTH:** 6  
**GRAND TOTAL THIS MONTH:** 22  
**GRAND TOTAL LAST MONTH:** 21

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J Stack  
Chief Executive

Contact Officer:  
P W Quaile Ex 5562