

PLANNING AND REGULATORY COMMITTEE5th March 2019**PLANNING APPLICATIONS FOR DETERMINATION**

- Item 1:** 07/18/0461/O
- Location of site:** Land at Delamare Road, Cheshunt, Hertfordshire, EN8
- Description:** Outline application with all matters reserved other than access for the demolition of existing buildings and structures and the redevelopment of the site for a residential-led mixed use development including basement parking and servicing comprising up to 1,853 apartments (Use Class C3 (Including elderly accommodation)), up to 19,051 sqm (GIA) of commercial and non-commercial floorspace including business (Use Class B1), retail (Use Classes A1, A2, A3 and A4) and community and leisure uses (Use Classes D1 and D2), a two form entry primary school, the creation of a new local centre plaza and link access from Windmill Lane, plus associated works for landscaping, flood attenuation, works to existing waterways, parking areas, pedestrian, cycle and vehicular routes
- Applicant:** Cheshunt Lakeside Developments Ltd
- Agent:** Montagu Evans
- Date Received:** 28.03.2018 **Date of Committee:** 05.03.2019
- Officer Contact:** Peter Quaile **Expiry Date:** 27.06.2018
- Ward Members:** Councillor Iszatt, Councillor Russell, Councillor Soteris

RECOMMENDED that planning permission be granted subject to: the planning conditions set out at the end of this report; and the Applicant first entering into a planning obligation under s.106 of the Town and Country Planning Act 1990 [as amended] for the terms set out in this report.

1.0 CONSULTATIONS

- 1.1 Highway Authority – No objection, subject to imposition of planning conditions. *Additional comments provided are set out below at paragraphs 8.33-8.42.*
- 1.2 Lead Local Flood Authority – No objection subject to imposition of planning conditions.
- 1.3 Environment Agency – No objection subject to imposition of planning conditions.

- 1.4 Thames Water. Objection. Have identified an inability of the existing waste and water infrastructure to accommodate this development. *Additional comments provided are set out below at paragraph 8.70.*
- 1.5 Environmental Health – No objection. Have considered matters including noise, air quality and land contamination and have no objection. Recommend planning conditions in the event that permission is granted.
- 1.6 Herts & Middlesex Wildlife. No objection, subject to imposition of planning conditions. *Additional comments provided are set out below at paragraph 8.53.*
- 1.7 Natural England – Response awaited
- 1.8 Hertfordshire Constabulary. Support.
- 1.9 NHS England. Comment. Seek developers contributions to be retrospectively applied to project to expand the High Street surgery.
- 1.10 LVRPA – Objection. Based on two grounds: a) prematurity in that the scheme does not clearly identify ‘safeguarding’ land required for a new route for Windmill Lane in the event of the Crossrail 2 scheme progressing and b) the application does not include reference to a financial value for measures required to adequately mitigate for the large numbers of visitors to the Regional Park from this new development. *[Subsequent discussions have been held in relation to the matter of planning obligations and are set out later in this report].*
- 1.11 Sport England. Comment. For Sport England to be supportive, a financial contribution would need to be commensurate to the additional needs generated by the development and ring fenced towards the delivery of projects that Sport England considers appropriate for meeting the needs generated. Comments at paragraph 8.76.
- 1.12 Cadent Gas. Comment. Cadent have identified operational gas apparatus within the application site boundary.
- 1.13 BoB Arboricultural Officer. Comment. Outline arboricultural statement only supplied at this stage, it recommends that a full detailed tree inspection/survey is required. The tree survey details are BS5837 compliant and an arboricultural impact and tree protection methodology needs to be supplied identifying BS5837 categories of trees and the impacts that the proposals would have on the trees, with justifications for any tree removals and replanting proposals to mitigate any losses.
- 1.14 Transport for London (Crossrail 2). Comment. The application site is outside the Limits of Safeguarding as set out in the 2015 Safeguarding Directions but the masterplan proposals would be prejudicial to the future delivery of the railway. Ongoing engagement with the Borough and Applicant will be important. This issue is discussed further in paragraphs 8.12-8.13.

2.0 PUBLICITY

2.1 This application was advertised by means of site notices posted 23rd May 2018 and 11th October 2018, an advertisement in the local press dated 17th May 2018 and 401 individual letters were sent to properties within the following streets:

- Windmill Lane; Shalcross Drive; Southmead Crescent; Clifton Close; Oakdene; Greenall Close; Delamare Road; Palmers Way; Cadmore Lane; Fieldings Road; and Stains Close.

3.0 REPRESENTATIONS

3.1 28 comments and 25 objections have been received in response to the plans on the following grounds:

- No approved Masterplan;
- Delivery and phasing of the development;
- Lack of collaboration with landowners and businesses;
- Impact on existing businesses;
- Viability of proposed development;
- Impact on existing retail provision;
- Impact of large lorries and works vehicles on households. Roads are already gridlocked around school run time. Windmill Lane bottlenecks by Cheshunt station – will cause chaos. Could be as many as tens of thousands over the 3-5 year build.
- Lack of parking for existing and future residents.
- Loss of parking for commuters using Cheshunt station and travelling to the station from towns such as Buntingford, Standon, Puckeridge. Stations at Ware and Hertford East cannot cope with many more users on a regular basis.
- Impact of 'permit parking' on existing households.
- Housing will be a ghetto – looks like the original design for Broadwater Farm and other London sink estates.
- Nothing on offer to the displaced business and there will be a loss of rates.
- Density is too high and the application does not provide any valid justification for it. High density development requires noise, litter and anti-social behaviour to be managed. Brings neighbourhood, services, transport, congestion and social issues. Cheshunt lies outside the Metropolitan area and density standards should be lower than those within London.
- Dwellings per hectare is 144 which exceeds the ward density and that of the Borough. PPS 3 states that development should be in general keeping with the local area in terms of scale, density, layout and access.
- No evidence provided that Cheshunt station can accommodate the additional 2000-4000 residents using it – it has experienced a 60% increase in journeys in the last 10-15 years.
- Traffic modelling is flawed as based on comparison of commercial and residential occupation of the site.
- Lack of capacity within local infrastructure and services to accommodate additional residents.
- Construction traffic will result in air pollution.

- Cheshunt Lakeside is the largest development in the draft Broxbourne Local Plan. A decision should not be taken in advance of the adoption of the Local Plan.
- Noise and vibration during construction – and structural impact of vibrations on houses 150+ years old.
- Close proximity of commercial buildings to houses on eastern side of Delamare Road.
- Plaza is likely to experience antisocial behaviour. A piece of 1970's social engineering.
- Access is an issue. Will fire tenders be able to reach flats?
- Has Broxbourne Council carried out due diligence on Inland Homes?
- Will the Section 106 agreement be used to reduce the Social Housing available?
- The Applicant does not control the whole application site. There is no clarity on how site wide mitigation will be secured or how a satisfactory form of S106 can be completed. The Council cannot give weight to the delivery of the development as a whole.
- The development appears to look to take advantage of the delivery of Crossrail 2 – but that delivery is not yet certain.

4.0 RELEVANT LOCAL PLAN POLICIES

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

SUS1	Sustainable Development Principles
SUS2	Energy
SUS3	Waste and Recycling
SUS6	Air Quality
SUS9	Requirement for a Noise Impact Study
SUS10	Noise Sensitive Development
SUS12	Development on Contaminated Land
SUS14	Water Supply Waste Water Treatment and Water Conservation
SUS17	Flood Prevention
SUS18	Surface Water Drainage
GBC19	Protection for Sites of Wildlife and Nature Interest
GBC20	Protected Species
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
H15	Affordable Housing: Ensuring Continuing Benefits
EMP1	Employment Areas
RTC4	Criteria for Assessing New Retail Proposals
RTC7	Proposals for Class A3 and Similar Proposals
CLT2	Children's Play Areas
CLT4	Lee Valley Regional Park
HD13	Design Principles
HD14	Design Statement on Local Character

HD15	Comprehensive Approach to Urban Developments
HD16	Prevention of Town Cramming
HD17	Retention/Enhancement of Landscape Features
HD22	Community Safety
T2	Passenger Transport and Interchange Facilities
T3	Transport and New Development
T9	Pedestrian Needs
T10	Cycling Provision
T11	Car Parking
IMP2	Community and Infrastructure Needs Linked To New Development

4.2 The draft Broxbourne Local Plan 2018-2033 was submitted to the Secretary of State for independent examination on 16 March 2018 and the examination hearings have now concluded. The following draft policies are a material consideration in assessing this application and should be afforded significant weight:

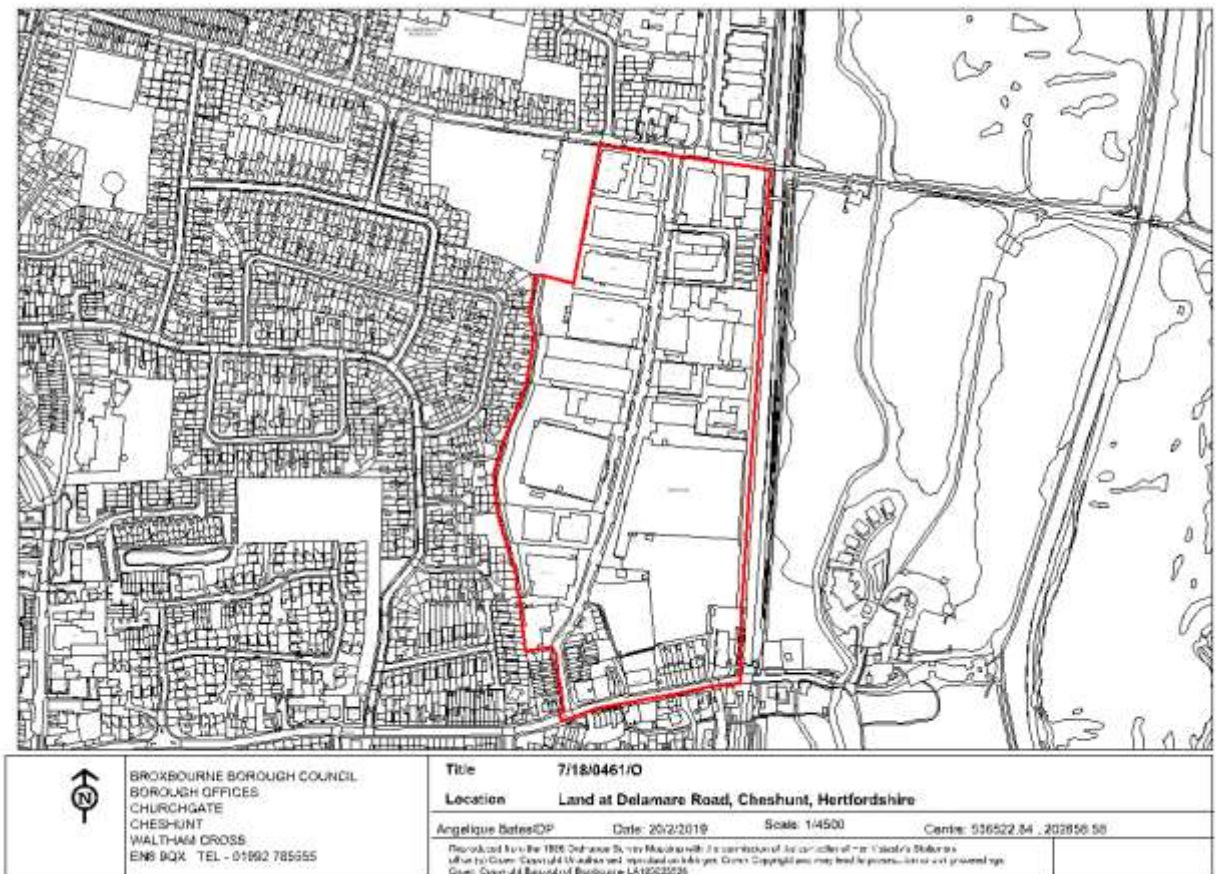
PM1	Sustainable Place Making
CH1	Cheshunt Lakeside
LV1	Lee Valley Regional Park
INF1	Infrastructure
INF4	Crossrail 2/Four Tracking
INF7	Bus Transport
INF8	Local Cycling and Walking Infrastructure Plan
INF9	Utilities Statement
INF11	New and Expanded Primary Schools
INF12	Educational Facilities
INF13	Healthcare
PO1	Planning Obligations
IMP1	Delivery of Development
DSC1	General Design Principles
DSC3	Design Affecting the Public Realm
DSC4	Management and Maintenance
DCS5	Sustainable Construction
DSC6	Designing Out Crime
DSC7	Comprehensive Urban Development
H1	Affordable Housing
H3	Housing Mix
ED3	Loss of Employment Uses – Rest of the Borough
RTC1	Retail Hierarchy
ORC1	New Open Space, Leisure, Sport and Recreational Facilities
W1	Improving the Quality of the Environment
W2	Water Quality
W3	Water Efficiency
W4	SuDS
W5	Flood Risk
NEB1	General Strategy for Biodiversity
NEB2	Wildlife Sites
NEB3	Green Infrastructure
NEB4	Landscaping and Biodiversity in New Developments
ENV1	Residential and Environmental Quality
EQ2	Air Quality
EQ4	Noise
EG5	Contaminated Land

- TM1 Sustainable Transport
- TM2 Transport and New Developments
- TM3 Access and Servicing
- TM4 Electric Charging Points
- TM5 Parking Guidelines

- 4.3 The Borough-wide Supplementary Planning Guidance (SPG) (August 2004, updated 2013) is relevant to this application as it provides design guidance for all forms of development.
- 4.4 The National Planning Policy Framework (NPPF) 2018 should also be considered as it sets out the Government's planning policies for England and how these are expected to be applied.
- 4.5 Interim Policy for Residential Car Parking Standards (February 2011) is a relevant consideration.
- 4.6 The Technical Housing Standards – nationally described space standards (March 2015) is also relevant.

5.0 LOCATION AND DESCRIPTION OF SITE

- 5.1 The application site comprises lands between Cadmore Lane to the North and Windmill Lane to the South, bounded by the railway to the East and the existing residential area and allotments to the West. Overall, the application site occupies an area of 12.8 hectares.



- 5.2 The application site contains mixed land uses including some leisure (gymnasium), retail and residential development but is primarily occupied by B1 (offices), B2 (Industrial) and B8 (storage and distribution) operators. The site includes the now vacant former Tesco headquarters in the form of New Tesco House on the western side of the road and Old Tesco House backing onto the railway. On Windmill Lane the site also includes a Network Rail depot, houses at 197-211, the small local centre and office block along with the Maltster PH. On Delamare Road, the terrace of houses and maisonettes at no. 10 – 20 do not form part of the application site. The area is chiefly characterised by post-war low-rise commercial buildings of limited architectural merit. New Tesco House is the tallest structure within the application site rising to five storeys. Cheshunt Train Station is located to the south east of the application site and provides connections to Cambridge and Hertford to the North and London Liverpool Street and Stratford to the south.
- 5.3 The application site is identified within the adopted Local Plan as falling within a designated Employment Area (to which Policy EMP1 refers). However, the site is allocated within the emerging Broxbourne Local Plan under Draft Policy CH1, which identifies the site for development of a mixed use urban village.
- 5.4 The site lies within the urban area, outside the boundaries of the Metropolitan Green Belt. The site constitutes previously developed land, as defined within national planning policy.
- 5.5 The site lies mainly within Environment Agency Flood Zone 2, with the southernmost part falling within Flood Zone 3, meaning that it is at a higher risk of flooding.
- 5.6 A drainage feature [Windmill Lane Ditch] which is an Ordinary Watercourse, runs south along part of the western boundary before turning east via a culvert to cross the site into the Park. College Brook, which is a Main River Tributary, runs to the south side of Windmill Lane
- 5.7 The Lee Valley Regional Park is located to the eastern side of the railway and is subject to several ecological designations including Ramsar wetland sites. Of particular note is the Turnford & Cheshunt Pits SSSI which lies next to the railway and which consists of former gravel pits important for a wide range of flora and fauna including wintering birds such as gadwall and shoveler. This area forms part of a Special Protection Area which is designated for locations internationally important for protecting vulnerable bird populations.
- 5.8 The application site does not contain any designated Heritage Assets and there are no such assets in the vicinity of the site. It does not lie within a conservation area nor does it contain any statutorily listed buildings. The site does have some historic interest however, having formerly accommodated the Lotus car factory, with that building having a commemorative blue plaque.



6.0 PROPOSAL

6.1 This application seeks outline permission for wholesale redevelopment of the majority of the land east and west of Delamare Road between Windmill Lane and Cadmore Lane. The outline application would establish the detail of the accesses to the development from the public highway including the new plaza link road from Windmill Lane to Delamare Road. The application also aims to establish the principle of the various proposed uses, scale, massing and amount of development via parameter plans which show a range of building heights to a maximum of eight storeys in the central areas of the scheme. The proposals would provide up to 1853 apartments which would be a range of sizes dominated by one and two bedroom units but also likely to include some larger units. There would also be new and replacement business floorspace on the ground floors in the northern part of the site and within the southern part of the site around the new plaza which would include B1 and A2 office uses along with shops, bars, restaurants, community and medical uses. A new two form of entry primary school is proposed towards the southern end of the development. There would be a new public park to the western side of the site and a green cycle/pedestrian route leading north from the plaza up the eastern side of the site. The precise mix and disposition of the uses would be determined under future reserved matters submissions. The density proposed would be 145 dwellings per hectare across the c.12.8 hectare site.

6.2 The application is supported by a wide range of supporting information which looks to underpin the detailed element of the application and the in-principle elements by setting out in detail how the overall proposal has been considered against all the relevant technical criteria. The key documents are:

- Environmental Statement with sections dealing with the full range of anticipated impacts from the scale and nature of the development to include flood risk, daylight/sunlight, utilities, energy strategy, telecoms, sustainability and wind micro-climate
- Masterplan Design Statement and Design Code
- Planning Statement
- Transport Statement
- Travel Plan Statements for residents, businesses and the school
- Business relocation strategy
- Landscape Design Statement

- Tree survey
- Lighting Strategy
- Archaeological Desktop Study
- Statement of Community Involvement

6.3 The application is supported by an illustrative masterplan which sets a vision for this strategic project underpinned by supporting technical information. This masterplan has been the subject of considerable discussion with the Council prior to submission of the outline application and while the Council has not formally adopted the masterplan it has endorsed it as a suitable basis on which to progress the formal submission.

Illustrative Masterplan



6.4 The applicant has submitted parameter plans which have the purpose of fleshing out the technical basis for the masterplan and which cover such matters as building layout, distribution and amount of proposed uses along with the scale of development in terms of maximum building heights. The parameter plans are augmented by a series of design codes which set out key concepts for individual components of the overall site. The design codes add detail and assurance in respect of the details of neighbourhood streets, the upgrade of Delamare Road, the Green Route, western linear park, apartment blocks, the new local centre and Cadmore Lane. The purpose of the parameter plans and associated design codes is to seek to demonstrate to the Council that the scheme is sound as conceived and therefore deliverable in a form substantially as set out in the application albeit that the overall scheme is an outline application.



Layout Parameter Plan



Use and Amount Parameter Plan

Scale (Height) Parameter Plan





The Plaza



The Plaza



Western Park



Primary School



Delamare Road



Delamare Road



7.0 RELEVANT HISTORY

- 7.1 The land was in historic horticultural use, in common with much of the Borough prior to World War 2. Much of the existing building stock was constructed in the 1950s and 1960s with New Tesco House being built in the early 1980s.
- 7.2 There is an extensive history of commercial-related planning permissions over the post-war period which illustrates the ongoing evolution of business patterns but also serves to highlight the lack of modern business premises across the site.

8.0 APPRAISAL

8.1 The main issues to consider are:

- Principle of development including draft Local Plan status;
- Environmental Impact;
- Relocation of existing employment;
- Comprehensive Development/Compulsory Purchase/Phasing;
- Design, layout, density and appearance;
- Impact to the amenity of neighbouring residential properties;
- Highways/Parking;
- Trees and Landscape;
- Biodiversity, Ecology and Lee Valley Regional Park;
- Flood Risk and Drainage;
- Refuse and Recycling;
- Planning Obligations and the Viability of the Development;
- Utilities; and
- Other matters.

Principle of Development

Adopted Plan 2005

- 8.2 The site falls within a designated employment area as defined by the adopted Local Plan 2005. The primary policy relating to development within such areas is Policy EMP1 which, in its Part [I], sets a general presumption that physical works and uses should be within the B use classes which all relate to business and commerce.
- 8.3 Whilst the general policy direction set out in Policy EMP1 is clear in its intent to protect and enhance the Council's established concentrations of business stock and land, it does provide a potential mechanism by which business areas can be regenerated to include "mixed use schemes". Bullet [f] of the Policy states:

"The site or use forms part of a wider regeneration proposal providing a mixed use scheme".

- 8.4 In the case of this proposal, although there would be wholesale demolition of commercial buildings, there would be more than 19,000 square metres of new business floorspace created during the course of the redevelopment in the form of B1 uses in the northern section and the various business uses around the local centre and plaza. The adopted Policy did not seek to anticipate a wholesale regeneration of commercial areas but it is considered that, given the wording set out above, the mixed use development of Cheshunt Lakeside with its replacement

B use class floorspace can be regarded as compliant with the adopted Local Plan 2005 in respect of Policy EMP1.

- 8.5 With regard to other key policies in the adopted Local Plan, RTC1 seeks to protect the Boroughs town and district centres by preventing new retail development outside town and district centres. The most recent national policy statement [NPPF] and associated planning practice guidance [PPG] state that a retail impact assessment only applies to proposals exceeding 2500 sqm of floorspace unless a locally appropriate threshold is set by the local planning authority. This Council has not set a local threshold in relation to retail impact assessments and such an assessment is not required in this instance. The eastern end of Windmill Lane is designated in the adopted Local Plan as a local centre and the current application would reinforce this status by means of the local centre around the new plaza.

Regulation 19 Draft Broxbourne Local Plan 2018

- 8.6 Members will be aware that the Cheshunt Lakeside development that is subject to this planning application is the largest strategic housing allocation within the Broxbourne Local Plan. The Local Plan policy is as follows:

Policy CH1: Cheshunt Lakeside

Cheshunt Lakeside will be developed as a new mixed use urban village to accommodate:

- 1.c. 1,750 new homes;*
- 2.40% affordable homes;*
- 3.Buildings limited to a maximum of 8 storeys in height;*
- 4.Elderly persons' accommodation;*
- 5. Approximately 20,000 square metres of business space to accommodate existing businesses within the allocated land area that could be satisfactorily located within the proposed mixed use urban village, new business start-ups and additional business space;*
- 6.A local centre, situated along Windmill Lane, connecting Cheshunt Lakeside to Cheshunt Railway Station;*
- 7.A two form of entry primary school;*
- 8.Landscaped open space; and*
- 9.Relocation of Network Rail depot.*

A section 106 agreement will accompany a future planning permission and proportionate contributions will be allocated to priorities within the Infrastructure Delivery Plan.

Cheshunt Lakeside is to be developed in accordance with a comprehensive master plan. Incremental development of the area will be resisted.

The Council will work in partnership with Natural England, the Lee Valley Regional Park Authority and the developers of Cheshunt Lakeside to agree a mitigation strategy containing a range of on-site and off-site measures to mitigate the effect of

the development on the qualifying interests of the Lee Valley Special Protection Area. The mitigation strategy will be in place by the time of grant of any planning permission for the development. Proposals must also satisfy the requirements set out in Policy NEB2: Wildlife Sites.

If necessary, compulsory purchase will be pursued by the Council.

- 8.7 The application is in full accordance with the Policy with the exception of the affordable housing target which is discussed in Section 8.39 of this report.
- 8.8 The Plan remains under examination but the hearings in respect of the Plan were held in 2018. A number of representations were made to the Local Plan in respect of Cheshunt Lakeside and these gave rise to the following issues that were debated at the Hearings:

The Principle of the Development

- 8.9 The principle of this development is clearly supported by the Council in having progressed the Local Plan to this stage. However, one of the key questions for this Committee in determining this application is whether it should be approved in advance of the adoption of the Local Plan and/or receipt of the Inspector's report. The earliest that this will be received will be May 2019. The earliest that the Plan will be adopted will be June 2019. Key to this decision is the post hearings advice from the Inspector that was received in December 2018. This does not make direct reference to Cheshunt Lakeside but critically contains the following statement:

The proposal in Policy DS1 to make provision for at least 7,718 homes in the period 2016-2033 is justified and consistent with national policy.

- 8.10 As this number of homes is reliant on the Cheshunt Lakeside allocation, it is evident that the Inspector is supportive of the principle of the allocation and that in turn addresses most of the issues raised in respect of the allocation. However, there are two outstanding issues that are also the subject of representations to this planning application that were debated in the hearings:

The Provision to be made for the Relocation of Existing Businesses Affected by the Development

- 8.11 The Council has consistently advised Cheshunt Lakeside Ltd that it must make space provision within the development for those businesses that can co-exist with the proposed development. The strategy is therefore to provide a mixture of office and workshop premises at the northern and southern ends of the development that will be made available to existing businesses on a commercial basis. The precise phasing of the delivery of that space in relation to the continuity of trading for existing businesses is a matter to be addressed within the section 106 agreement and reserved matters planning applications. However, officers are satisfied that opportunities will be afforded to those businesses that can co-exist with housing. This leaves a limited number of businesses that would not be comfortable neighbours within the development. It is understood that all but one of those businesses is on time limited leases and there is no absolute obligation on the Council to find new homes for those businesses. However, the strategy of the Local Plan had been to make provision for appropriate relocations to Park Plaza North. Whilst not ruled out, acquisition of that site by IKEA has rendered that a very

challenging proposition. Discussions have therefore been advanced with a view to provision being made for appropriate relocations to the Maxwell's land to the west of the A10 and a planning application has been submitted for development of that land which includes serviced industrial land. It would not be appropriate to pre-empt that application but there is a clear prospect of land being made available on commercial terms for Delamare Road businesses that would be compatible with gateway sites along the the A10 corridor.

Replacement of the Windmill Lane Level Crossing

- 8.12 Crossrail 2 is a potential major rail infrastructure project with the long term aim of linking Hertfordshire with Surrey along with many other station/interchange improvements to facilitate moving around and through London. The northern extent of the project would currently pass through Cheshunt to terminate at Broxbourne Station and would entail four-tracking the existing route. The project would be delivered via national legislation but at present does not have any confirmed funding which would enable a bill to be set before Parliament.
- 8.13 When Crossrail 2 and/or the four tracking of the West Anglia mainline is implemented, it will be necessary to replace the Windmill Lane level crossing with a bridge. It has been concluded by Crossrail 2 and officers that this would not be practicable or appropriate along Windmill Lane itself and three alternative options have been considered by Crossrail 2. Two of those options pass through the Cheshunt Lakeside site and the third through/alongside the station car park. Whilst discussions have been confidential, the Head of Planning and Development has stated a strong preference for the station car park option but Crossrail 2 prefers an alignment from Cadmore Lane. It has therefore sought a safeguarding of this alignment through the Local Plan and has objected to this planning application. stating that land within Cheshunt Lakeside includes land necessary to deliver Crossrail 2 and therefore would be prejudicial to the future delivery of the railway. The Council has advised the Local Plan hearings that this would not be appropriate given the impact on the Cheshunt Lakeside development and the Lee Valley Regional Park. It would also create blight and open up the potential for the Council to be forced to purchase the affected land at considerable expense. Given that there is an entirely reasonable alternative within Network Rail lands, the Council has advised the Local Plan hearings that it is not minded to safeguard the land. Even if planning permission is granted for the Cheshunt Lakeside development, it remains open to the Department of Transport to safeguard the Crossrail 2 preferred route. That is considered unlikely until the Crossrail 2 project is confirmed as this would similarly open the Government to the service of blight notices. The Local Plan Inspector has not alluded to this issue in his recently issued summary of important matters arising from the Examination. The comments of the Lea Valley Regional Park Authority are noted but it is considered that determination of a strategic, current planning application cannot be delayed on the basis of a notional need for land set against an unfunded project without statutory underpinning.

Conclusion

- 8.14 Given the outcomes of the viability appraisal in relation to affordable housing, this planning application is considered to be in full accordance with the draft Broxbourne Local Plan which promotes the Cheshunt Lakeside development. It is clear that the examination will support the principle of the development. The application is supported by a clear strategy for business relocations which is consistent with the Local Plan and the Council is clear in its position that it would not be appropriate to safeguard a rail crossing within the development. It is therefore considered that considerable weight should be afforded to the status of the 2018 draft Local Plan in the consideration of this planning application. Given the position outlined above in relation to the 2005 adopted Local Plan, this development is considered to be in overall conformity with the Development Plan.

Environmental Impact Assessment

- 8.15 As noted in the preamble to this report the application is supported by an environmental statement [ES] which encompasses the full scope of impacts which may be expected from these major redevelopment proposals. The majority of the matters examined in the ES are assessed within the individual sections of this report such as air quality, daylight/sunlight, ecology, ground conditions/contamination, transport, water resources/flood risk and drainage.
- 8.16 With regard to socio-economic impact the ES notes that there will be a benefit to the borough in terms of housing supply but this of course is counterbalanced by the impact on local services that 3000+ new residents will produce. The applicant has offered significant mitigation in respect of social and community impacts with provision of a new primary school, contributions to secondary education and medical services along with funding for mitigation within the Lea Valley Regional Park and to provide sport and recreation in the vicinity of the site. In terms of business occupiers, the replacement non-residential floorspace [across the range of use classes including the new school] is estimated to be likely to generate 1000 to 1100 jobs which would be an increase of c.250 against the existing workforce. There would of course be a temporary increase in employment in relation to construction related activity which would peak and trough across the length of the development. In terms of permanent posts, the employment profile would be significantly different from the current workforce but delivery of the entirety of the Cheshunt Lakeside project would be likely to provide a net increase in employment.
- 8.17 In terms of sustainability and climate change, the scheme is considered to be in a highly sustainable location with a sustainable mix of uses and development which takes full account of climate change in respect of the future safe operation of the businesses and dwellings. With regard to noise and vibration, a condition will require submission of piling details for any foundation works and it is anticipated that these would be augered rather than percussive. The impact on GP services would be mitigated by a significant contribution towards local service upgrades. The anticipated wind micro-climate is not expected to be materially affected by the proposed buildings so long as the significant areas of landscaped planting are delivered as part of the development. There are no listed heritage assets within the application site. There are grade 2 listed dwellings on Windmill Lane and an historic gun emplacement in the Regional Park. None of these would have their historic interest diminished to any significant extent by the redevelopment of Cheshunt Lakeside.

8.18 Turning to visual impact, it is certainly the case that a development in this location with buildings projected to reach a maximum of eight storeys and surrounding blocks of substantial height will be visible from around the site and from longer range vistas. The applicant has made a detailed assessment of the visual impacts from the proposed development and the viewpoints [agreed with officers] are shown on this extract from the ES. A selection of the relevant views is also set out below.



Marshcroft Drive



Roundmoor Drive





Windmill Lane



8.19 The scheme has been compiled so that the tallest structures would run through the north-south spine of the site and the building heights would taper so that four storeys would predominate on the eastern [Regional Park] side of the site, two storeys would front Cadmore Lane and 2/3 storeys blocks would lie closest to dwellings to the western portion of the site. From the south, the new plaza and local centre buildings would be clearly visible above the dormer bungalows but the visual impact is not considered to be visually dominant. The short range views from Windmill Lane would be significantly changed and this transformation is inherent in re-making this part of the town. The viewpoints shown above reveal that this visual impact rapidly recedes as you travel west along Windmill Lane. The visual impact from longer views to the west would be modest, in particular the views from Rosedale Sports Club and Cheshunt Park would not be significantly affected by the development. The views from the Regional Park, including during winter months would be largely screened by intervening tree cover so while the scheme would be apparent as a physical development, the resultant impact on important vistas from the Regional Park would not be materially harmed. In terms of more local views, the scheme will of course be visible from local streets, especially via gaps between buildings. The existing buildings, including the bulky New Tesco House, are already visible from local street viewpoints. The study undertaken by the applicant includes a series of comparative views superimposing the new development as indicated on the masterplan onto existing street views of the application site. The outcome of this exercise is considered to demonstrate that the proposed development would improve some of the vistas and overall would not have a dominant and adverse impact on public views from all parts of the surrounding townscape. The scheme is

acceptable in respect of its visual impact and overall there would be no harm to any of the important interests set out in the accompanying Environmental Statement.

Comprehensive development/ compulsory purchase/phasing

- 8.20 More than 50% of the site is owned by Cheshunt Lakeside Ltd (CLL), a vehicle established by Inland Homes to deliver this development. That ownership consists of all of the former Tesco lands and a number of other sites that have subsequently been acquired or are under option. It is on that basis that the Council has agreed to work with CLL to master plan and deliver the comprehensive development of Cheshunt Lakeside. Whilst CLL has been seeking to acquire other sites through negotiation, there are significant areas at the northern and southern ends of the development that are not under the control of CLL. The northern landowners of the uppermost quarter of the site have now established a collective agreement to work together and the current likelihood is that those lands will be separately promoted in alignment with the master plan should planning permission be granted for the overall development. The sites at the southern end are more complex, consisting of the terrace of houses along Windmill Lane, industrial and business properties, retail premises and a Network Rail depot. Whilst these form part of the overall master plan, it is not anticipated that they will be comprehensively promoted unless they are all ultimately acquired by CLL. Whilst it will be possible for individual sites to be individually promoted in alignment with the overall master plan, the acquisition of certain properties will be necessary to deliver that master plan. For this reason, the potential for compulsory purchase has been included within the draft Local Plan policy and whilst this is an action of last resort, it is likely to be necessary for the Council to compulsorily acquire properties to deliver the overall development. As a public body, the Council has powers under the provision of the Acquisition of Land Act 1981, to acquire land compulsorily. Acquiring authorities should use compulsory purchase powers where it is expedient to do so, but, a compulsory purchase order should only be made where there is a compelling case in the public interest. Given the timescales involved, the compulsory purchase process would be instigated as soon as outline planning permission is granted and a strategy has been discussed with the Applicant to that end. Whilst other sites may come forward independently, that strategy would involve all of the lands not under the control of CLL.
- 8.21 The development has been divided into four broad phases as shown below. Were the entire site under the control of CLL, the natural phasing for the development would be from south to north in order that the new plaza, the proposed new link road and the primary school are delivered early within the development. However, whilst those areas are included within the large Phase 1, land ownerships and lease arrangements will delay the implementation of those cornerstones of the development for three to four years. CLL is therefore seeking to build the first major residential block to the east of Delamare Road through an initial reserved matters application. Officers are agreeable to that subject to a full understanding of the detailed phasing of Phase 1 and the cash flow of the overall development. For that reason, a condition is proposed to require a detailed phasing plan for each individual phase to be submitted for approval with the first reserved matters application for that phase. Whilst it is anticipated that the phases will follow chronologically, that is not proposed as a condition to this application. It may be appropriate for phases to run in parallel and the northern landowners in particular are seeking that eventuality. How they dovetail does not need to be determined at this stage. Rather, it would be for reserved matter applications to demonstrate

deliverability. It should, however, be stressed that current provisions within the section 106 agreement would not enable commencement of phases 2, 3 or 4 until the school and the new link road have been constructed.

Design, Layout and Appearance

8.22 The scheme has been conceived as a high density urban village under the terms of the site allocation set out in draft Policy CH1. Approval would enable up to 1,853 dwellings with a density of up to 144.76 dph. The design of the buildings and spaces has this concept at its centre and the intention is for the built scheme to be true to a modern vision of urban living near to transport, social and recreational facilities. The design and appearance of the buildings is not for determination in this application and the final decision would be made at the stage of subsequent reserved matters submissions. Nevertheless, the outline scheme would establish a firm design ethos and palate of materials which form a coherent package on which to assess the merits of the proposal. The buildings would be uncompromisingly modern with flat roofs and clean, rectilinear profiles. The precise parapet heights and the detailed design of buildings would be a matter for reserved matters consideration. In terms of the overall scheme, while this is not a design concept which is to be found regularly elsewhere in the Borough, this would be a self-contained site which would set itself apart, not seeking to conceal its difference and would make its own design cues to pick up and translate across the entire project from Windmill Lane up to Cadmore Lane. Two issues should be borne in mind in considering the magnitude of this townscape and design intervention. First, the existing townscape is of low to moderate quality and contributes little to the architecture of the area; even the more modern buildings such as New Tesco House and St Georges Works are of modest design quality. A selection of street views is set out below.



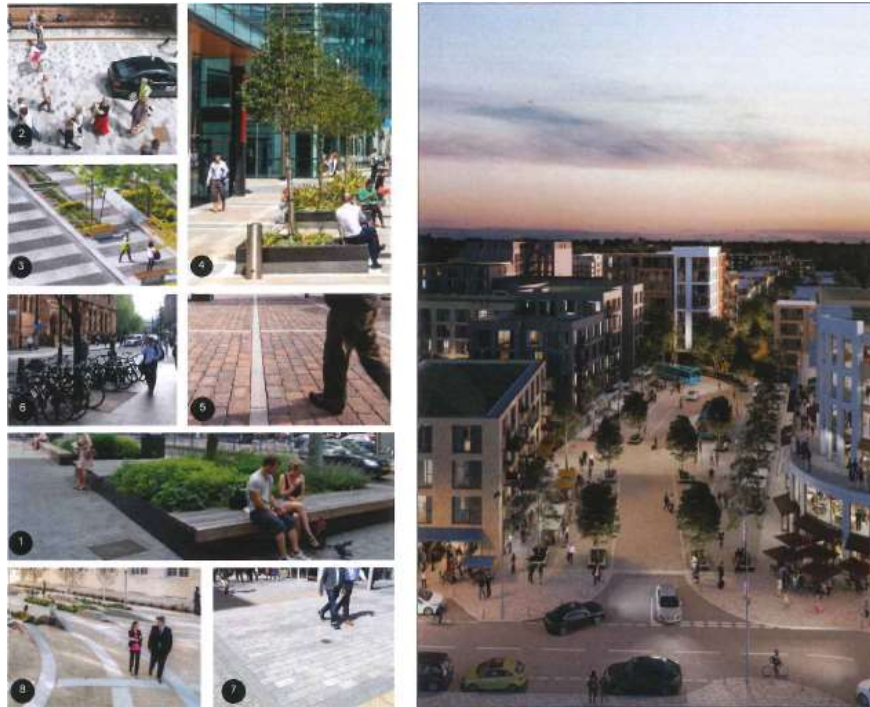


- 8.23 Secondly, for a development of this scale, pitched roofs and traditional detailing would be highly unlikely to sit comfortably within an area characterised by buildings up to eight storeys in height and with many others of five to six storeys. In the context described above, it is considered that the modern design is inextricably linked to the Council's planning aspirations for the site and that the overall design concept presented by the application is acceptable.
- 8.24 In terms of the layout, the siting of buildings is formally not for determination in this application but the parameter plans, which would be approved as part of the application include proposed building plots [which generally reflect historic land ownerships] and building footprints. The layout would also be strongly influenced by the retained line of Delamare Road and the new link road at the south end of the site with the new local centre. The layout of the new commercial centre would involve setting back the new office and commercial/leisure uses so as to provide an informal plaza for uses to spill out and enliven the streetscene – the setback from the new road would range from around 7m to more than 12.5m and this is considered sufficient to allow for pedestrians and the adjacent businesses to have shared use of the footway. The layout of the residential blocks would be slightly staggered so that travelling along Delamare Road either heading north or south there would be a changing vista of new buildings of individual design as each neighbourhood street is crossed. The intention of this element of the layout is to prevent a monotonous townscape and it is considered that the subtle setbacks of the blocks will contribute to providing a variety of views along the road and between the buildings.
- 8.25 Other key components of the layout are the western park [including enhanced watercourse] which would range from 20m to 45m in width and the north-south green route which would be a 15m wide landscaped corridor for walking/cycling towards the eastern side of the site. These substantial features are essential to creating a successful urban village by providing open, green, landscaped areas to relieve the high density development and prevent it dominating the proposed scheme. The layout as shown below in the illustrative masterplan is considered to represent a workable and supportable structure for the planning of the site and therefore is acceptable.

Illustrative Master Plan



8.26 The appearance of the new buildings is reserved for future determination, but as described above, a design code has been submitted as part of the design statement which makes a clear commitment to high quality materials for the blocks with their surrounding approaches and hard surfacing along with a clear coding of the public realm to be created with its associated lighting and essential street furniture. In this design coding, a unified long term approach is envisaged so that the building parcels and the intervening roads and open vistas would result in a desirable locality to live, work and socialise. Some typical images from the design code document are shown below.



- 8.27 The designs displayed above from the design coding are intended to be closely reflective of the nature, range and quality of architecture, cladding, hard and soft surfacing and the usable spaces between buildings which would characterise this new quarter within Broxbourne. Reserved matters applications would necessarily dictate the detail of all the above but these submissions would be made in the context of approved parameter plans, to include maximum storey heights, along with design coding which would be established by planning condition as a key element of reserved matters proposals. Against this backdrop it is considered that the design and appearance of the Cheshunt Lakeside scheme is acceptable as proposed at this outline application stage.

Amenity and Impact on Neighbours

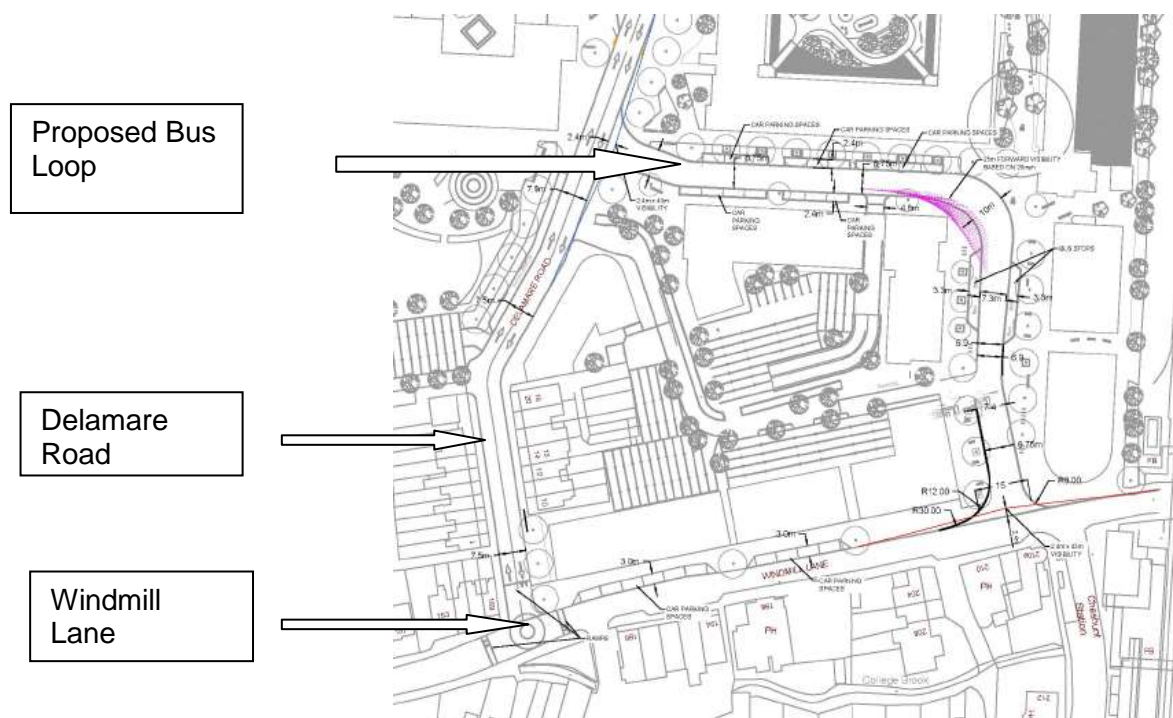
- 8.28 In this section the likely adverse impacts on nearby residents is examined along with the amenity for future residents of the development.
- 8.29 In terms of the potential for loss of privacy, the parameter plans submitted with the outline scheme show the locations of the building plots along the western side of the development. At the nearest point, the proposed block adjacent to the southern edge of the allotments [Parcel 4] would be 30m distant from the nearest dwelling on Palmers Way which would meet the Council's SPG standard. Detailed design of the new block can ensure that privacy is not materially affected. Moving south along the western boundary, the block proposed for Parcel 3 would be located around 45m from the nearest dwelling situated on Palmers Way which comfortably exceeds the Council's SPG standard and would not result in a material impact on privacy. Parcel 2 would be over 48m distant from the nearest residence on Clifton Close which would retain adequate levels of privacy for these neighbours. Dwellings on Greenhall Close would back onto the primary school at an indicative distance of around 24m but this building can be designed so that there would not be a material loss of privacy. To the north and south of the redevelopment site the relationship with existing properties would be across established public highways which would serve to ensure that the facing buildings would maintain existing levels of privacy. To the east of the site is the Regional Park.
- 8.30 With regard to daylight and sunlight, in the context of the distances from existing dwellings described above, it is likely that the new buildings would be located so as not to materially affect natural daylight reaching neighbouring dwellings. In terms of sunlight, as the proposed residential blocks are located to the east of the established residential area, any limited loss of sunlight would chiefly be in the early mornings and would not materially impact the amenity enjoyed by existing residents. With regard to noise and disturbance, it is the case that there would be a very different rhythm and nature of occupation from residential blocks when compared with the current commercial/industrial operations. The intensive use during the working day with far quieter periods during evenings and weekends would be replaced by conventional residential occupation which would largely take place as a counterpoint to the present day activities. While this reversal of periods of use would be a significant alteration, there is no valid reason to suppose that day to day residential use would be likely to result in untoward noise and disturbance.

- 8.31 Turning to the proposed residential blocks, it would be customary in an outline scheme to largely postpone assessment of the quality of the proposed residential environment to the reserved matters stage. In this case, the applicant has submitted considerable levels of information, enshrined in the parameter plans which enable scrutiny of a typical floor level of the proposed blocks. The layouts reveal that the overall floorspace and the individual room sizes for the apartments shown would comply with local and national internal space standards. The typical distance between the blocks across the local access streets would be around 20m which is similar to a generous suburban street. Within the blocks the typical minimum separation distance would be around 28m which is sufficient in respect of privacy across a communal amenity area. In terms of amenity space, the Council's SPG sets a level of 20 sqm per apartment. As shown on the parameter plans, substantial, landscaped courtyards would be provided within the enclosed blocks and in total these private areas would provide over 8000 sqm of usable amenity space for future residents. The substantial linear park along the western side of the site would provide additional, accessible amenity space for residents and it is likely that each apartment would benefit from a usable balcony. In these particular circumstances it is considered that there would be sufficient good quality amenity space for future residents of the development.
- 8.32 As presented, the scheme is considered to be capable of meeting Council SPG standards in relation to the likely impact on established residential occupiers and would meet national and local amenity standards in respect of the standard of accommodation for future residents [. **As such the scheme is considered to comply with adopted Policies H8 and HD16 of the Local Plan 2005.**

Highways, Transport and Parking

- 8.33 The application seeks detailed permission for the means of access from the development to the existing public highway and has come forward with a comprehensive package of information and detailed proposals which would provide a range of transport choices for residents of the new urban village. The scheme also aims to integrate this new urban quarter into the existing highway network, locally and more widely while enabling a new bus service north-south within the Borough to link railway stations and the strategic developments at Brookfield. The application is supported by a full transport assessment which has been clarified and updated during the course of the application and was amended in October 2018. This assessment has taken full account of the strategic transport model which the Council has used to assess the overall impact of development through the new Local Plan period up to 2033.
- 8.34 The primary change to the road layout inherent in the Cheshunt Lakeside proposals is the construction of a new link road which would run north from Windmill Lane just before Cheshunt Station then turn westward to connect with Delamare Road. This two-way road would allow for a bus service to be introduced which would utilise the loop to serve the station and facilitate the route from Windmill Lane leading up to Cadmore Lane. This new road, which would be an adopted highway, is a critical element of the overall scheme and would also form a key element of the new plaza which would feature at the south end of the site. The technical performance of the new highway has been assessed by Herts County Council [HCC] and with recent amendments to the corner radii proposed by the applicant, HCC is satisfied that the road would be able to accommodate public service vehicles and a full range of commercial traffic which would need to access the plaza and the surrounding

commercial uses. Subject to completion of a s.38 adoption agreement in due course, no objection is raised to the construction of this new carriageway which is shown below.



Traffic Impact from the development

- 8.35 The applicant's revised Transport Assessment has estimated the full range of impacts from delivery of the new development in the context of a site in full commercial use. The baseline used is not solely existing traffic generation but is adjusted to include full occupation of the office and other commercial uses currently vacant to the west and east of Delamare Road. It should be noted that the traffic generation in relation to future commercial uses is based on 100% B1 office use of the business space. In reality there will be a mix of uses to include shops, cafes and similar businesses so the B1 office traffic outturn is a worst case scenario which ensures a robust assessment of the likely traffic impacts.
- 8.36 In terms of trip generation, the scheme would create a significantly different profile from that currently operating in respect of peak hour journeys, with residents leaving for work in the morning and returning in the evening peak rather than businesses arriving in the morning and leaving in the evening peak. In numerical terms, the following trip levels have been estimated:

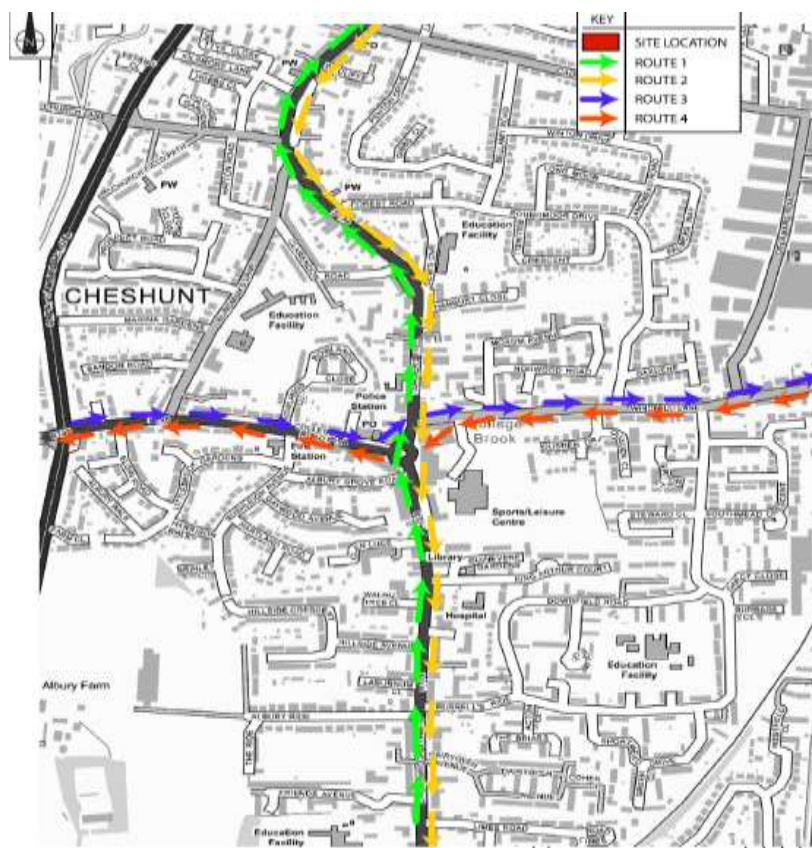
Land use	Morning Peak Hour In	Morning Peak Hour Out	Evening Peak Hour In	Evening Peak Hour Out
Reoccupation of existing site	668	396	250	775
Proposed Development	296	528	520	418
Net change	-372	132	270	-357
Net change (2 way)		-240		-87

8.37 Members will note that the overall numbers of vehicle movements would be considerably reduced, especially in the morning peak hour. This can offer some reassurance of the likely long term result of development but this is a relatively crude measure of how the site would operate in reality and the developer has set these traffic figures in the context of impact on critical junctions near to the site:

- Windmill Lane/Delamare Road
- Russells Ride/Windmill Lane
- Turners Hill/Windmill Lane signalised junction
- Delamare Road/Cadmore Lane
- Cadmore Lane/High Street
- Church Lane/High Street

8.38 These figures are derived both from observed, existing traffic flows, modelling the full effect of re-occupation/use of the vacant buildings on site and from projected traffic generated from the completed site in the context of wider traffic modelling up to 2033. In terms of the impact on local junctions, in the morning peak hour the assessment is that there would be insignificant changes to the length of time that vehicles queue at junctions – the maximum deterioration would be an additional four seconds delay at the Old Pond junction and the junction of Cadmore Lane. Other junctions are assessed to be likely to enjoy reduced queue periods with the most significant beneficiary at the College Road/A10 junction where there would be an 11 second fall in waiting times. With regard to the evening peak hour, it is estimated that all the local junctions would either retain the same queuing time or have that time reduced. The most significant improvements would be at the northern end of Delamare Road and College Road/A10. While this model of the traffic impact is valid, it is important to keep in mind that it is based on full occupation of the former Tesco sites along Delamare Road. In practical terms, set against the existing traffic flows, there may be an adverse impact in the longer term. However, the work undertaken by the applicant and validated by HCC as local highway authority does demonstrate that the overall impact on junctions around the site would not result in severe impacts which would give rise to a supportable reason for refusal.

8.39 The likely impact on local journey times also forms an important part of the analysis undertaken by the developer and these four main routes around the application site are set out on the plan below with the associated tables setting out the resultant trip timings in the morning and evening peak hours [expressed in seconds].



Morning

Journey Time analysis (AM peak)	With Cheshunt Lakeside	With Existing Use Reinstated	Difference	% Difference
	Seconds			
Route 1	211	210	+1	0
Route 2	335	299	+36	+11
Route 3	300	315	-15	-5
Route 4	174	176	-2	0

Evening

Journey Time analysis (PM peak)	With Cheshunt Lakeside	With Existing Use Reinstated	Difference	% Difference
	Seconds			
Route 1	465	531	-66	-15
Route 2	219	209	+10	+5
Route 3	277	349	-72	-25
Route 4	166	253	-87	-52

8.40 Members will note that the only route in the morning peak which would be liable to be significantly affected for the worse would be the north-south route along the High Street/Turners Hill which would add 36 seconds to complete. In the evening peak three of the four routes would have improved performance while 10 seconds would be added to the same route 2. The time shown to travel north-south does not take account of the Council's strategy to rationalise the traffic flows through the Old

Pond centre and it is highly likely that removing the existing traffic junctions as part of the Old Pond improvements will have its own impact on traffic flows in the vicinity. At this time the full impact on traffic movements from the draft strategy at the Old Pond has yet to be modelled but the outturn from the application site would not in itself result in impacts which would give rise to a reason to withhold permission.

- 8.41 The assessment of the impact on the local highway network has been examined in detail by Herts County Council as Local Highway Authority and they have verified the methodology and technical output of the Transport Assessment submitted and amended by the applicant. The resultant outcome for local roads and junctions which the applicant has modelled indicates that there would not be a material worsening of traffic generation, queuing at road junctions or journey times around this part of Cheshunt and beyond when compared with the situation where Delamare Road were fully re-occupied. HCC does not raise objection and overall it is considered that the situation in respect of local highway impacts is acceptable.

Strategic Network

- 8.42 The traffic volumes estimated to be generated by the scheme are shown above and would not have a severe impact on the operation of the local highway network in the vicinity of the site. The effects of traffic generation will generally dissipate with distance from a development and the work undertaken in conjunction with the Council's strategic modelling associated with the draft Local Plan indicates that the wider highway network would be capable of absorbing the traffic from this and all other anticipated development over the Local Plan period to 2033. As part of the mitigation to be provided under the terms of the planning obligation, the developer would provide a road and rail infrastructure contribution of £5 million, most of which would be directed towards local and strategic network upgrades which would assist the Council in delivering the Old Pond improvements along with additional capacity, especially along the A10, to enable the future developments in the draft Local Plan to come to fruition.

Bus Services

- 8.43 The current 242 bus service from Cuffley no longer directly serves Cheshunt Station as the nearest embarkation point is at the Old Pond, a ten minute walk away. The applicant has put forward proposals to reflect the aspirations in the Council's draft Local Plan and associated IDP which would facilitate and fund a new bus service which would operate not only for the new residents of Cheshunt Lakeside but would also create a new route up the spine of the Borough. The intended route would link Waltham Cross Station with Cheshunt Station then travel up the Old A10 to connect with Brookfield developments and possibly with a new railway station at Turnford to the rear of Hertford Regional College. The detailed specification of the route is yet to be finalised and would involve HCC and Arriva in achieving a workable solution. The current intent is to establish the new bus service on a half-hourly basis with the initial service to be fully in place when the first residents move into their apartments on Delamare Road. The substantial funding set aside as part of the planning obligation package would be sufficient to start up the new route and to provide tapering subsidies after which the bus service should revert to a self-funding commercial operation. This form of provision is considered to be in accordance with the Council's objectives and therefore acceptable subject to detailed implementation.

Walking and Cycling

- 8.44 A key element of the Council's transport strategy in the draft Local Plan is the promotion of sustainable and healthy forms of transport and an essential component of this strategic allocation is to fully integrate these environmentally low impact modes of travel while assisting in promoting modal shift elsewhere in the Borough. Specifically, the new development would include a green route through the eastern part of the site which would be designed solely to be for walking and cycling and would run from the north side of the plaza two thirds of the length of the site before turning west to join Delamare Road. This would be a 3m wide hard surfaced route with landscape buffers to each side so as to make travelling through this part of the site as pleasant and inclusive as possible. The western linear park would also provide quiet walking routes set away from the public highway. With regard to Delamare Road itself, this would be traffic calmed with a target speed limit of 20mph along its entire length meaning that walking and cycling along this primary north – south route through the urban village would be a safe and practical form of transport. In terms of the wider picture across the Borough, the applicant has offered a financial package relating to sustainable transport which would be in excess of £850,000 and which would aim as part of a comprehensive package of initiatives to promote walking and cycling along with improvements to the Old A10 corridor which would result in it being transformed to become a true green spine route linking the main settlements within Broxbourne.

Travel Plans

- 8.45 The applicant has submitted framework travel plans in respect of the residential occupiers, commercial operations and for the new on-site primary school which will assist in encouraging travel via alternatives to the private car. The intent of these travel plan documents which would be monitored and adjusted during their use would be to make a real difference to the practical choices which individuals make in choosing their mode of transport. At present the travel plans are necessarily in outline and further details will be needed when the development is implemented of the practical measures which need to be in place in order to deliver the benefits of the Plans which will be secured via suitable planning conditions.

Car Parking

- 8.46 The scheme as currently presented would provide the following car parking facilities in relation to the various uses across the whole site:
- Residential - 1681 spaces dedicated to the apartment blocks
 - 158 visitor spaces
 - 5 car club spaces
 - General - 55 on street short term spaces
 - Commercial - 241 parking spaces
 - School - 22 staff/visitor spaces
 - 7 drop-off spaces

- 8.47 The car parking which would be provided for residential occupiers would include 1526 basement spaces while the visitor and car club parking would be on the surface arranged along the residential access streets which would radiate from Delamare Road. The proposal seeks in principle approval for up to 1853 apartments and the level of car parking which is envisaged by the applicant would provide 1839 car spaces, including visitor facilities. There would also be 55 on-street short term spaces which could be used overnight for residential parking. As part of the package, five car club spaces would be included for use by future residents and the applicant has offered a financial contribution towards the Council promoting and setting up a residents' parking scheme in surrounding streets. Such a scheme would not only mitigate any perceived shortfall on the application site but would also serve to deal with commuter parking for Cheshunt Station.
- 8.48 In terms of car club spaces, there is no simple formula which can measure the number of spaces against an absolute reduction in need for private car spaces. If the car club is in operation from the early occupation of the blocks it would serve to reduce car ownership both in terms of purchase of new cars and retention of existing vehicles, especially in the context where there would be feasible alternative transport options. In this way the club alters perceptions of the need for private ownership and would help to moderate demand for parking spaces as the scheme is built out. The applicant has stated that as part of the residential travel plan, a welcome pack for residents would include a year's free membership of the car club.
- 8.49 As presented, the parking scheme for residential would provide just above one space per apartment including visitor spaces if the short stay public parking is utilised overnight as would be highly likely. This is a development with multiple travel mode choices from the outset, close to Cheshunt Station and backed up with a residential travel plan designed to encourage use of alternatives to the private car. The promotion of a residents' parking scheme for the surrounding area would reinforce the requirement for the development to absorb its own residential parking within the application site and overall the ratio of parking to dwellings set out in the application is considered to be acceptable.
- 8.50 In terms of commercial car parking, the application would provide 241 car parking spaces with just over 100 around the local centre and the remainder in the courtyards of the mixed use blocks in the northern part of the site. The business floorspace in this northern part would be likely to consist of office uses and the parking set out on the plan would exceed by one space the parking standard set out in the Council's SPG at 133 parking spaces against a requirement of 132 spaces. In terms of the commercial uses at and around the plaza and new local centre, 108 surface spaces would be offered which would offer shared parking for the variety of business uses. Permission is sought for a range of different use classes within the scheme to give flexibility for future commercial disposal, many with differing parking levels and profiles of periods of peak use. In this way a gym or medical/therapy use will have few similarities with a shop or offices. The scheme would include a maximum of 2499 sqm of retail floorspace and this would most likely be smaller shops, particularly those which are compatible with Sunday trading laws [c.300sqm]. The Council's SPG would look to provide 62 spaces for these shops but as Members will be aware, the day to day practicality of providing a small local shop often entails parking for a manager while customers would use short term car parking in the surrounding area, in this case around the new local centre. Given the variety of likely uses in this highly sustainable location served by rail and

but it is considered that the level of parking for this element of the scheme is acceptable.

- 8.51 Turning to the school premises, the two forms of entry primary would look to provide 22 spaces in curtilage for school staff and seven drop-off bays for parents and carers. The intention is to provide parking spaces for teachers and other support staff who need to use a car to reach their work and the spaces would be allocated on this basis. There is short stay parking near to the site for visitors and in this sustainable location on a constrained site, the level of car parking is considered to be acceptable.

Trees and Landscape

- 8.52 The application is supported by a tree survey which covers the application site along with adjoining land such as the railway. The trees which exist within the site are chiefly along the watercourse along the western boundary although there are a few, chiefly self-set specimens at the boundaries of commercial premises. The trees are of low to medium quality and include hybrid conifers, silver birch, ash and poplar. The trees along the railway lands are self-set willows which are coppiced to a height of around 4m. There is a multi-stemmed ash to the rear garden of 197 Windmill Lane to a 12m height. The Council's tree officer notes that this work represents only an outline survey and advises that more detailed work is undertaken prior to development starting. It is considered that none of the trees in and adjoining the site is of outstanding quality and none appears worthy of protection via a Tree Preservation Order. The more detailed survey work which is needed can be undertaken as part of the reserved matters applications as the individual building plots and phases come forward.

Biodiversity, Ecology and Lee Valley Regional Park

- 8.53 The application site is heavily dominated by buildings and hard surfacing which, unremarkably for a predominantly industrial landscape, currently has low levels of biodiversity and a degraded ecological environment. The main area which retains some habitat and vegetation is the watercourse corridor along the western boundary [known as Windmill Lane Ditch]. The surveys undertaken by the applicant's ecologist noted that there are likely to be nesting birds in the modest selection of existing trees but did not find any evidence of bat presence on the site. No other part of the site was noted as having significant potential to harbour a protected species.
- 8.54 The application would entail three particular areas where there would be the ability to considerably enhance the ecological status of the site and in support of this process a detailed landscape strategy, including structural and ornamental planting has been submitted with the application. First and most importantly, the western watercourse is proposed to be opened up, its channel widened and improvements made to remove invasive weeds/clear the banks to allow for appropriate re-planting. The opening up will also allow for regular management to maintain the ongoing improvements. Along Delamare Road, deep areas of landscaping would form a buffer between the carriageway and new buildings which would introduce opportunities for verges, shrub and tree planting where currently only hard surfacing exists. To the eastern side of the site a green corridor would run north from the new plaza to provide a pedestrian and cycle route which would meander through landscaping towards the north of the site before turning east to meet

Delamare Road. This again would provide considerable opportunity to plant vegetation where almost none currently exists. The consultation response from Herts and Middx Wildlife Trust is generally supportive of the efforts to promote biodiversity which would include installation of bat boxes and swift bricks. The Trust makes two other points in respect of tree species and maintenance of the improved watercourse. First, it recommends that native species should be used exclusively in order to maximise benefits to biodiversity and secondly, an 8m buffer zone should be maintained along the watercourse to allow for long term management of the feature which should be ensured by planning condition. In an environment dominated by residential apartment development it is considered that while the majority of trees can be native/local stock, it would also enhance the appearance of the scheme to have some more ornamental species to introduce colour and variety into the landscaped areas. With regard to the watercourse, the illustrative masterplan and layout parameter plan indicate that the sole pinch point would be a corner of the primary school which would be just over 5m from the channel but this is not a significant concern at this juncture. The Environment Agency is supportive of the works to naturalise and improve Windmill Lane ditch and have requested further details via planning condition relating to the overall scheme of watercourse improvements and management. Subject to imposition of this condition it is considered that the scheme is acceptable in terms of its on-site biodiversity and ecology in accordance with adopted Policies GBC19 and GBC20.

- 8.55 Turning to the internationally important Special Protection Area [SPA] which lies in the Lee Valley Park within 400 metres of the application site, while the applicant has submitted a detailed analysis [including extensive over-wintering bird surveys, the Council has also conducted a Habitats Regulations Assessment [HRA] of the draft Local Plan which found that the Cheshunt Lakeside development would be likely to have an adverse effect on the SPA. The Lee Valley Regional Park Authority [LVRPA] has commented on this matter and has sought reassurances that there will be funds allocated as part of the planning obligation to mitigate the impact of development and in particular the significant additional numbers of visitors which would result from more than 3000 new residents. The applicant has met with the LVRPA ecologist and has agreed to fund a series of mitigation measures which would relate to improvement of the bird habitats in and around the gravel pits, along with the provision of information to new homeowners in respect of the importance of the nearby SPA and how to act in their vicinity to minimise potential impacts. The LVRPA has also suggested that there could be engagement projects including walks and children's activities to raise awareness and guide longer term behaviour. The applicant has agreed to provide funding for the matters set out by the LVRPA as part of the planning obligation and this Council would also be part of this process, as it would hold the contribution subject to suitable projects coming forward such as additional paths and signage to divert visitors away from the most sensitive areas of the SPA. Overall it is acknowledged that introducing significant numbers of residents/visitors has the potential to adversely impact the SPA. The mitigation proposals put forward by LVRPA are considered to balance this impact and subject to delivery by means of the planning obligation it is considered that the scheme is compatible with adopted Policies GBC18 and GBC19 along with draft Policies NEB1 and NEB2.

Flood Risk and Drainage

Fluvial Flooding

- 8.56 As noted in the preamble to this report, the site falls partly within Flood Zone 2 [towards the northern part of the site] with the remainder in Flood Zone 3 as designated by the Environment Agency [EA]. Windmill Lane Ditch runs north to south along most of the western boundary and College Brook runs to the south of Windmill Lane. The current proposal needs to be considered against the backdrop of existing industrial/commercial development over the vast majority of the application site consisting both of buildings and extensive site coverage of hard surfacing. With regard to fluvial flood risk [from the watercourses] the EA initially objected to the scheme both on grounds of flood risk and lack of detail on watercourse restoration. Further information submitted by the applicant clarified the latter works and the EA withdrew the objection relating to ecological enhancement subject to a condition to provide further details in due course. The flood issues centred around two main issues, compensatory flood storage and the levels to be set for internal finished floor levels in the proposed dwellings. Compensatory flood storage allows for floodwater displaced by construction of new buildings on site to be stored underground so as to protect adjoining sites from flooding in the event of local watercourses breaching their channel. The applicant has now provided sufficient technical information to show that the flood storage which would be provided would be of sufficient volume so as to absorb flood waters and give protection to adjacent occupiers. In terms of the finished residential floor levels, the EA has recommended that these should be no lower than 300mm above the 1 in 100 year flood level with a 35% allowance for climate change and on that basis is content that the application can proceed subject to conditions.

Surface Water Flood Risk

- 8.57 The site, acknowledged by HCC as Lead Local Flood Authority [LLFA], is mostly impermeable being a combination of buildings and hard surfacing. The technical detail surrounding the surface water drainage has been refined within a revised flood risk assessment in order to demonstrate the ability of the scheme to be restricted to Greenfield run-off rates. The key features of this scheme for storm water disposal are attenuation in soft landscaped areas, storage in underground tanks and eventual discharge via the existing Thames Water surface water sewer into Windmill Ditch on the west edge of the site. This strategy has been endorsed by the LLFA, but only on the basis that the strategic surface water drainage scheme is integrated across the implementation of the project and that each phase is integrated into the overall catchment drainage plan. To that end the LLFA seeks the imposition of three planning conditions which would limit the run-off generated to greenfield rates including storage to allow for 1 in 100 year + 40% climate change event, demonstration that above ground features minimise the need for underground storage and provision of a management and maintenance plan for the SuDS features and drainage network. It is considered that the imposition of these planning conditions is necessary for the proposal to be acceptable.

With the above provisos, it is considered that the risk of flooding from watercourses and from storm water has been adequately addressed within the application and that the scheme now complies with adopted Policies SUS17 and SUS18 of the Local Plan.

Planning Obligations

8.58 As a major strategic allocation in the draft Local Plan the Council has sought to achieve proportionate and necessary contributions from the development project towards local and strategic infrastructure over the Local Plan period and beyond. The starting point for those contributions is the Council's Infrastructure Delivery Plan which sets out the infrastructure required borough wide to support the new Broxbourne Local Plan. To this end, the applicant proposed a range of Heads of Terms to be covered by the planning obligation and submitted an economic viability assessment [EVA] in support of the level of individual contributions which they initially proposed. This EVA has been independently tested by the Council's appointed valuer. Whilst that independent valuation substantially endorses the Applicant's EVA, there are a number of areas in which the Council has challenged the financial assumptions made by the applicant and that process has resulted in increased obligations in a number of areas.

8.59 As the developer does not own all the land within the application site, it would normally be necessary to obtain the signature of all other parties with an interest in the land on the s.106 agreement so as to secure the planning benefits which should flow from this development. Given the number of other land owners, it is unlikely that all would agree to be part of this legal agreement despite being invited to do so by the applicant and the Council. It is considered that the only practical method to resolve this situation is by imposition of a condition which links all the sites within the application red line to the completed planning obligation so that any site owner who wishes to separately benefit from development would be tied into delivery of the requisite planning benefits as if they had signed the s.106 agreement. This mechanism was used on the Arsenal FC redevelopment and is a valid method by which to secure planning benefits which accrue from a site in multiple ownerships.

Transport

- Highway Contributions + rail - £5,000,000
This total includes contributions towards strategic works to the A10 at College Rd and Church Lane, funds to mitigate the impact on Cheshunt Old Pond local centre along with other, wider network improvements
- Bus Services - £1,512,500
This contribution would enable a new bus route to service the site, starting on a half-hourly basis. This would also be used to upgrade bus stops in the vicinity and to provide real time illuminated displays in the area and in particular around the plaza loop which would serve Cheshunt railway station.
- Sustainable Transport - £677,000
These funds would support a wide range of measures which would aim to encourage alternatives to private car ownership/use, covering topics such as walking and cycling, improvements to the Old A10 and wider cycle network upgrades.

Education

- Primary school/nursery

The developer has agreed to allocate land and to build a two form of entry primary school with associated nursery provision at a cost likely to exceed £8,000,000.

- Secondary - £4,500,000

This contribution would be held by this Council pending the development and implementation of a planned new secondary school and/or the expansion of local secondary schools

Lee Valley Regional Park - £750,000

This funding would seek to mitigate the impact of the new development on the protected ecology of the Regional Park while also contributing to other worthwhile projects so that the Park is able to absorb the likely influx of new visitors

Indoor and Outdoor Sport and Recreation - £630,000

As there is limited scope within the application site to provide sporting facilities for the new residents, this sum is offered to enhance the sporting and recreational offer at the Laura Trott centre – this is likely to include sports pitch and changing room upgrades, lighting and refurbishment of play areas and similar facilities to be agreed.

Medical/Health - £500,000

Community, Youth, Childcare, Library, Fire Hydrants - £298,697

This contribution would cover the range of services which are administered by the County Council and are derived from the planning obligations toolkit published on their web site. The request for provision of fire hydrants to form part of the planning obligation is considered to be supportable.

Parking contribution towards a CPZ - £100,000

Car Club - £92,650

The total offered in respect of the infrastructure set out above is **£14,060,847**

This total does not include the cost of providing a primary school and nursery and the value of the land which is to be provided by the developer. When those are factored in, the overall contribution is likely to be in excess of £25 million.

Affordable Housing

8.60 Turning to affordable housing, the Council seeks an affordable housing level of 40% of the number of units in respect of any Major planning application and that figure is enshrined within the new Local Plan policy for Cheshunt Lakeside. However, the Local Plan does enable reduction of that figure if a development cannot afford to provide for it. The advice from central Government is also that where a scheme can be demonstrated not to be capable of providing the expected quantum of affordable dwellings by means of an economic viability assessment [EVA], council's will need to accept reduced levels of affordable dwellings. As a result of independent assessment of the EVA and setting the costs of providing social housing in the context of the overall offer, it appears that the scheme would be capable of delivering an overall level of 10% affordable housing. This would represent around 185 units and this level would be a minimum across the development which would be subject to upward only adjustment via an EVA on each phase to determine the actual percentage on that upcoming phase. It is currently proposed by the Applicant that Phase 1 would not deliver any affordable homes because of the substantial costs of providing up front infrastructure, including the new primary school. The impact of this would be to increase the proportionate contributions of phases 2 and 3 to ensure the minimum 10% across the whole site. However, the percentage in a phase or sub phase would be limited to a 40% maximum in line with the Council's adopted and draft Local Plan policies. In the light of the financial constraints demonstrated, the overall level of affordable housing set out above is considered on balance to be acceptable.

8.61 Officers have sought to negotiate a position whereby any social rented housing within Cheshunt Lakeside could only be for Broxbourne residents and that any intention to provide social rented housing for non-Broxbourne residents would require the consent of the Council. Whilst the Applicant has advised in writing that it is agreeable to that proposition, it feels unable to commit to that position through the Section 106 Agreement as this would be unlawful. This being the case, there can be no guarantees offered on the ultimate purchasers of the market housing within the development. Any concerns about the ultimate social mix would not be a reason for withholding planning permission.

Waste Services

8.62 A financial contribution of £303,113.29 is sought by Hertfordshire County Council towards the construction of a new Household Waste Recycling Centre (HWRC) to replace the existing Turnford HWRC, as part of the Brookfield Garden Village development. Given the constraints on the ability of this development to finance all infrastructure requests and that this is a relocation project, a contribution from Cheshunt Lakeside is not considered to be appropriate.

Education

8.63 The allocation of major strategic sites requires that the development meets both the immediate educational impact of introducing new families and their offspring into the Borough along with making provision in the longer term for secondary schooling over the local plan period. In terms of secondary education, it has been agreed that this would be addressed by means of a significant financial contribution towards construction of a new secondary school, the location of which is yet to be finalised

and which is not likely to become a priority until around 2028. The level of contribution is set out in the planning obligations section in paragraph 8.58.

- 8.64 In terms of primary school provision, the draft allocation Policy CH1 includes a requirement to provide a two form of entry school. The application includes such a school and pre-school nursery and the applicant has pledged to provide the land and procure the school as part of its obligations attached to any planning permission. The masterplan extract is set out below showing an illustrative layout for a 0.55 hectare primary school in the south-western part of the site.



- 8.65 Herts County Council has welcomed the principle of providing a primary school on site but has raised objection on grounds that the overall site area is inadequate as HCC seeks 2.25 hectares, the school building does not meet HCC total floorspace standards and that as a result of the inadequate site area, there is insufficient outdoor soft play/recreation provision. HCC has also questioned the basis on which the applicant has derived pupil yields both for the primary and secondary school requirements. The applicant has calculated that this exclusively flatted scheme would yield a need for just less than one form of entry while HCC has concluded that between 2.5 and 3 forms of entry would be the outturn. Similarly, there is a significant gap between the projected secondary school pupil yield calculated by the applicant and that set out by HCC. Discussions between the parties have not resolved this apparent disparity and this Council has to reach a judgment on what is appropriate in respect of this site and its strategic educational impact. It is considered that a two form of entry school provided on a turnkey basis to the Council[s] is the correct way forward to deal with the on-site child yield while also adding some capacity in the local catchment. With regard to the secondary school outturn, a sum of £4.5 million has been agreed with the Applicant through the overall negotiation on the totality of the Section 106 agreement with recourse to the viability assessment. This is significantly in excess of the Applicant's evidenced child yield from the development but significantly below Hertfordshire County Council's predicted child yield.

- 8.66 In terms of site area, HCC has indicated that flexibility can be applied to the dimensions of school sites but notes that they have not agreed a site of this size and consider it too small. The school site as shown on the masterplan would have areas for hard and soft play [including a games court] and would be set immediately to the south of the linear park on the western edge of the development.
- 8.67 In terms of national guidance on school areas/dimensions, the Government has issued a document [BB103] which sets out non-statutory guidelines which are expressed as ranges of options and are non-prescriptive. The floorspace of the school is subject to final definition when a full application or reserved matters submission is made and it is considered that the dimensions of the school are capable of meeting national guidance defining the range of facilities and necessary floorspace involved in assembling a compliant primary school and nursery. The detailed proposal will of course include the design and external appearance of the school.
- 8.68 In terms of BB103, the main area in which the proposed school could be regarded as deficient is in respect of on-site playing fields. The Council owns the open space to the west of Roundmoor Drive which is a safe walk of around 400m from the site of the proposed school and which could be used at least in part as playing fields for these young pupils. A new gated access would need to be created on Council land to enable access from this eastern side of the land. HCC states that accessible, remote playing fields are acceptable if they can be made available for seven hours each week and this appears to be a feasible proposition on this Council owned open space. It is considered that use of this Council land would adequately deal with the issue of outdoor games pitches.
- 8.69 The school would be procured/built by the applicant and as shown is considered to be an acceptable response to the site constraints and the urban village nature of this strategic site. Upon completion it is intended that the school would be offered to HCC to seek an operator and failing that, this Council would take control to find a suitable user.

Utilities

- 8.70 Thames Water has raised concerns in respect of potable water supplies and the disposal of foul water and it is evident that the introduction of up to 1,853 apartments would generate very significant additional pressures on water services generally. The applicant is fully aware of the need to deliver upgrades to all the services administered by Thames Water and has acknowledged that the scheme would not be able to progress without this necessary work. The upgrades are likely to be delivered in a phased programme closely following an approved phasing plan. It is understood that there is not an in principle issue in relation to either fresh or foul water services which would be likely to prevent the project moving forward but suitable planning conditions are proposed to ensure that there is no disconnect between the needs of the development and the ability of the utility company to provide essential services. Thames Water has also identified a number of their operational underground assets across the site which the developer will need to take into during construction but this process is not unusual in an urban redevelopment proposal.

- 8.71 Similarly, Cadent has noted that their gas infrastructure is present on and close to the site and this again would need to be taken into account in progressing construction. This type of issue would be dealt with by means of an informative on the planning decision.
- 8.72 Turning to the need for any upgrades to the electrical power supply, UKPN has noted that the applicant needs to serve notice in respect of their equipment within the application site boundary but has not indicated that the current power supply is inadequate to serve the new development.

Other Matters

Noise and Site Contamination

- 8.73 The initial response from the Council's Environmental Health was that additional information was needed in relation to noise [from the railway], air quality during construction and contaminated land in a context where the development would largely be served by basement car parking leading to significant excavation. Revised and updated information was subsequently submitted which demonstrated that the dwellings can be readily insulated against railway noise. Further information also clarified the likely impact on air quality from the construction activities and it is now proposed to impose a planning condition to require the installation of an air quality monitoring station from the start of construction and throughout its duration. Regular reports on air quality would be submitted for the Council's consideration and/or action.
- 8.74 In respect of potential contamination, although the site is largely hard surfaced, it is probable that some pollutants will have reached the soils beneath. In addition, historic uses for intensive horticulture can lead of residues which need to be dealt with prior to construction of residential accommodation. The applicant has now submitted details of the risk assessments which would be undertaken prior to any construction and remediation. Validation would follow up in the required manner. A condition to deal with the necessary works to render the ground conditions acceptable is proposed.
- 8.75 In terms of potential disruption during construction, it is proposed to impose a condition relating to standard hours of construction so as to minimise disruption to neighbours in the vicinity of the site. This condition would be augmented by a requirement to submit for approval a construction environment management plan to control the methods by which the development would be constructed, including timings to avoid peak period delivery.

Sports and Recreation Provision

- 8.76 Sport England has raised a non-statutory objection to the application on the basis that the proposal does not provide sufficient opportunities for on-site sport and recreation and does not fully mitigate this shortfall. Since receipt of these comments the applicant has put forward an offer of £630,000 within the draft planning obligation to fund new/improved sporting and recreational facilities for residents of the new development. It is envisaged that the contribution would be chiefly used to upgrade various indoor and outdoor areas of the Laura Trott Centre such as improving the football pitches and their changing rooms, refurbishment of the play area and installation of lighting to the MUGA ball court. Discussions are

ongoing with Sport England and it is anticipated that a package of measures of the scale proposed, secured via the s.106 agreement will enable the objection to be withdrawn.

Refuse and Recycling

- 8.77 The applicant has put together a strategy to deal with construction waste and with waste/recycling arising from the operational phase [i.e. when the development is occupied]. The strategy encompasses domestic, school and commercial waste and notes the intention to comply with the Council's published waste SPG. At this outline stage it would be impractical for more detail to be provided and it is proposed to ensure that adequate provision is made for waste/recycling facilities by means of a suitable planning condition.

Crime Prevention

- 8.78 Herts Police offers its support on the basis that the applicant intends to liaise with the Police Crime Prevention Design Service to meet at least minimum security standards.

Other Objections

- 8.79 The majority of the concerns raised by objectors have been covered by the report in dealing with individual topics but the following issues were also highlighted. A loss of commuter parking for travellers from towns to the north of Broxbourne is not a matter for this application to resolve. The assertion that this housing will become a ghetto is not based on evidence and there is no good reason to believe that this high quality scheme would have that undesirable outcome. The much higher density than the local area is in line with the draft allocation for this site in Policy CH1. Greater pressure on Cheshunt railway station is not a matter which has been raised by Network Rail as the statutory consultee. The proposed Plaza is unlikely to become an area for anti-social behaviour due to the businesses, foot and vehicle traffic and level of activity which would accompany a busy commercial area with surrounding flats. There would be commercial buildings relatively close to the retained houses on the eastern side of Delamare Road but their impact will be considered in detail at reserved matters stage.

9.0 CONCLUSION

- 9.1 The Cheshunt Lakeside project, allocated under the terms of Policy CH1 in the draft Local Plan 2018-2033, is the most significant urban redevelopment scheme in the Borough in recent decades. It has the clear potential over the next ten years to transform this predominantly commercial/industrial area into a modern, mixed use urban community served by and including new/relocated businesses. The transformation would also be physical with the ad hoc and mediocre quality commercial area re-made into a high quality environment encompassing a linear park and green pedestrian/cycle routes as well as an upgrading and re-imagining of Delamare Road to be traffic calmed, landscaped and connected via a new link road to Windmill Lane incorporating a new local centre and plaza.
- 9.2 The impacts which such a major scheme entails have been assessed by the applicant who submitted an Environmental Statement with the proposal and this

work has been updated and revised in the light of input from this Council and other statutory consultees. The outcome of this process is that all significant technical issues identified at this outline application stage have now been satisfactorily addressed.

- 9.3 In terms of the community and other infrastructure benefits expected to derive from this project, the heads of terms and current offer from the developer against each head is set out from paragraph 8.38 above. The level and nature of contribution has been informed by the IDP in the context of a detailed financial evaluation submitted by the applicant. The levels of contribution offered are considered to be the maximum which can be reasonably sought against the backdrop of the viability information which has been supplied [and independently verified]. This would be a robust outturn in respect of the future infrastructure requirements of the Borough up to 2033.
- 9.4 The objections to this scheme have been both in principle and in respect of many points of detail which are covered in the individual assessments of the technical merits of the proposal and in a separate section above. It is not considered that there is a supportable reason to withhold permission among the issues raised by residents, owners and other interested parties.
- 9.5 Overall it is considered that this outline application and masterplan, underpinned by the technical supporting information, represent a vision and long-term direction which will re-generate this area next to Cheshunt railway station and transform it into a new urban village. The recommendation is for the committee to support the scheme as presented.

RECOMMENDED that planning permission be granted subject to: the planning conditions set out in the appendix at the end of this report; and the applicant first entering into a planning obligation under s.106 of the Town and Country Planning Act 1990 [as amended] for the terms set out in this report.

Appendix A – Planning Conditions

1. Planning Obligation

No development beyond the development hereby permitted within the land edged red on Drawing number (To Be Agreed) and associated works [associated strategic infrastructure] shall take place on any other part of the Site unless and until all parties with a registered interest in the relevant part of the Site have entered into a Deed of Adherence in the form attached to this decision notice (or such other form as may be approved by the local planning authority).

Reason - The Council would have refused the planning application in the absence of the section 106 agreement for all parts of the site and at the time of this permission being issued the applicant was not able to bind all the legal interests in the Site in the section 106 agreement. Development must not commence within any part of the Site until the legal interests for the part of the Site are bound under a section 106 and the obligations are enforceable in accordance with the aims and objectives of Policy CH1 of the draft Local Plan 2018-2033

2. Reserved Matters

Prior to the commencement of development on any individual phase or sub-phase approved pursuant to condition 4, the details listed below (herein called 'the Reserved Matters') shall first be submitted to and approved in writing by the Local Planning Authority insofar as they relate to that phase or sub-phase:

- i) Layout (including car parking provision, access and servicing areas and waste management areas)
- ii) Scale (including existing and proposed levels)
- iii) External Appearance

The development thereafter shall be carried out in full accordance with the details approved.

Reason -To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

3. Reserved Matters Compliance

Applications for the approval of reserved matters shall be in general accordance with the parameters described and illustrated in the Masterplan Design Statement Part 1 and 2 (March, 2018) and the following approved plans:

Parameter Plans:

- Access Parameter Plan (Drawing Reference.16012-01-174-C)
- Layout Parameter Plan (Drawing Reference. 3043-D6012-rev01)
- Use & Amount Parameter Plan (Drawing Reference. 3043-D6013-revP1)
- Scale Parameter Plan (Drawing Reference. 3043-D6014-rev01)

Highways Plans:

- Bus Loop Proposed Layout (Drawing Reference. 16012-01-184-RevD)
- Windmill Lane Proposed Layout (Drawing Reference. 16012-01-183)
- Cadmore Lane Proposed Layout (Drawing Reference. 16012-01-182)

Reason - To ensure full compliance with the planning application hereby approved

4. Phasing

As part of the first reserved matters application for each main phase outlined in the approved Phasing Plan (Drawing 3043-D6290-rev01) a detailed sub-phasing plan for that phase shall be submitted to the Local Planning Authority for approval. Development shall be undertaken in accordance with the approved detailed sub-phasing plan. The Sub-Phasing Plan shall include:

- a) a plan defining the extent of works comprised within each relevant sub-phase;
- b) details of the development quantum and land uses to be created within each relevant sub-phase; and
- c) Details of infrastructure works within each relevant sub-phase.

Reason - In the interests of the proper planning of the area.

5. Time Limit

- a) Applications for approval in respect of all matters reserved in Condition 2 above shall be made to the Local Planning Authority within a period of 10 years commencing on the date of this notice.
- b) The development to which this permission relates shall be begun by not later than whichever is the later of the following dates:
 - i. the expiration of a period of 12 years commencing on the date of this notice;
 - ii. the expiration of a period of 2 years commencing on the date upon which final approval is given by the Local Planning Authority or by the Secretary of State or, in the case of approval given on different dates, the final approval of the last such matter to be approved by the Local Planning Authority or by the Secretary of State.

Reason - To comply with Section 92 of the Town and Country Planning Act 1990

6. Limits on Non-Residential Floorspace

The non-residential element of the development hereby permitted under this permission shall not exceed a total of 19,051sq.m nor the following totals (all Gross Internal Area (GIA)):

- i) Retail (A1/A2/A3/A4) – 2,499sq.m
- ii) Business – B class floorspace – up to 15,502 sq.m
(B1a) – up to 12,862 sq.m
(B1(b) / B1(c) – up to 5,279 sq.m
- iii) Community & Leisure Use (D1/D2) – 1,050 sq.m

Reason: For the avoidance of doubt and because highways and other impacts have been assessed on the basis of the above quantum of development.

7. Detailed Highways Drawings

Prior to the commencement of any above ground works for any main phase or sub phase as approved by condition 4, full highways details (in the form of scaled plans and / or written specifications) relevant to that phase shall have been submitted to and approved in writing by the Local Planning Authority. The details submitted must illustrate the following:

- Roads, footways and cycleways;
- Visibility splays;
- Access arrangements;
- Parking provision;
- Servicing and loading areas; and
- All on-site parking spaces can be accessed by a vehicle, and that on-site turning space is sufficient to enable all vehicles to enter and exit the site in forward gear; and
- Turning areas.

Reason - To ensure the new adopted roads through and within the site are constructed to the standards outlined in Roads in Hertfordshire: Highway Design Guide 3rd Edition, to ensure the free, safe and sustainable flow of all highway users is maintained at all times, and that the new road is suitable as a bus route.

8. Visibility Splays

Prior to the first occupation of the development hereby permitted (or Prior to the commencement of the use hereby permitted) a visibility splay shall be provided in full accordance with the details indicated on the approved plan numbers 16012-01-184. The splay shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

9. New Loop Road

Prior to the commencement of Main Phase 2, 3 or 4, the new vehicular access shall be provided and thereafter retained at the position shown on the approved plan drawing number 16012-01-184-RevD (Bus Loop Proposed Layout) in accordance with the highway specification approved as part of Condition 7.

Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.

10. Construction Traffic Management Plan

Prior to the commencement of development within any main phase or sub-phase of the development approved under condition 4, a 'Construction Traffic Management Plan' for that phase or sub-phase shall be submitted to and approved in writing by the Local Planning Authority. The 'Construction Traffic Management Plan' should include details of:

- a) The proposed construction programme for works within that phase or sub-phase;
- b) Construction vehicle numbers, type, routing;
- c) Traffic management requirements;
- d) Construction and storage compounds (including areas designated for car parking);
- e) Details of any hoarding;
- f) Details of any tree protection measures during construction works;
- g) Siting and details of wheel washing facilities;
- h) Cleaning of site entrances, site tracks and the adjacent public highway;
- i) Timing of construction activities;
- j) Provision of on-site parking;
- k) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

The approved Construction Traffic Management Plan shall be adhered to throughout the construction period of that phase or sub-phase of the development.

Reason - To minimise the impact of construction works upon highway safety, congestion and parking availability.

11. Construction Environment Management Plan

Prior to the commencement of development for any phase or sub-phase of the development, a Construction Environmental Management Plan for that phase or sub-phase shall be submitted to and approved in writing by the local planning authority. The Construction Environmental Management Plan shall provide details of:

- a) The proposed construction programme for the proposed works within the phase or sub-phase;
- b) Any proposed demolition works;
- c) Measures to control the deposition of mud on the public highway;
- d) Measures to control dust, including a Dust Management Plan;
- e) Measures to control noise from construction works through compliance with British Standard 5228-1: 2009 Code of practice for noise and vibration control on construction and open sites;
- f) Measures for site waste management including a methodology for the re-use & recycling of all materials arising from the development process;
- g) Provision of fuel oil storage, landing, delivery and use, and how any spillage will be dealt with and contained;
- h) Provision for the delivery and storage of materials;
- i) Provision for contractor parking;
- j) Provision for site security;
- k) Measures to contain silt and soil runoff.

The approved Construction Environmental Management Plan shall be adhered to throughout the construction period of that phase or sub-phase of the development.

Reason - To minimise the impact of construction works upon environmental receptors within the vicinity of the site.

12. Air Quality Monitoring

Prior to commencement of development on main phase 1 (as approved by condition 4), an air quality monitoring station shall be established to monitor air quality for the duration of construction for that phase. A report on air quality shall be submitted to the Local Planning Authority thereafter. Subject to demonstrating acceptable air quality levels as part of main phase 1 monitoring, no further monitoring shall be required on future phases within the site.

Reason – To ensure that air quality in the local area is not materially affected during this major construction project

13. Cycle Parking

Prior to the first occupation of any individual dwelling within an individual phase or sub-phase, cycle parking shall be provided for that dwelling in accordance with details which have previously been approved in writing by the Local Planning Authority as part of the reserved matters application for that phase or sub-phase.

Reason - To promote alternative modes of transport.

14. Provision of Parking and Servicing Areas

Prior to the first occupation of any sub-phase of the development hereby permitted, the proposed access / onsite car and cycle parking / servicing / loading, unloading / turning / waiting area for that sub-phase shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

15. Sample Facing Materials

Prior to the commencement of any superstructure work on any main phase or sub-phase of development approved pursuant to condition 4, details/samples of all external facing materials to be used in the development shall be submitted to and approved by the Local Planning Authority in writing before work commences on the relevant part of the development. Details / samples of the following are required:

- Façade materials;
- Brickwork;
- Roofing materials ;
- Balcony screening;
- Window frames and glazing; and
- Drainpipes & guttering materials.

Details to be submitted for approval shall include detailed drawings at a scale of 1:50 / 1:100, proposed materials brochure or specification and proposed material samples.

Reason - To secure a satisfactory external appearance in accordance with the council's adopted supplementary planning guidance.

16. Sample Surfacing Materials

Prior to the commencement of any above groundworks on any main phase or sub-phase approved pursuant to condition 4, details/samples of all surfacing materials to be used, including road surfaces, pavements and parking bays, shall be submitted to and approved by the Local Planning Authority in writing for that main phase or sub-phase.

Reason - To secure a satisfactory appearance in accordance with the council's adopted supplementary planning guidance.

17. Boundary Details

Prior to the commencement of any above groundworks on any main phase or sub-phase approved pursuant to condition 4, details of all screening, boundary walls and fencing (and any other means of enclosure) shall be submitted to and approved by the Local Planning Authority in writing for that main phase or sub-phase. Such approved means of enclosure shall be erected prior to first occupation of the relevant dwelling[s]

Reason - To ensure that the proposed development does not adversely affect the privacy and visual amenities at present enjoyed by the occupiers of the adjoining and nearby properties in accordance with the council's adopted supplementary planning guidance.

18. External Lighting

Prior to the commencement of any above groundworks on any main phase or sub-phase hereby approved, details of all external lighting, including street illumination, shall be submitted for the written approval of the Local Planning Authority for that main phase or sub-phase and the lighting shall be installed as approved prior to first occupation of the relevant dwelling[s].

Reason - In the interests of amenity and public safety.

19. Site Levels

Plans of the site showing the existing and proposed ground levels and levels of thresholds of all proposed buildings in the relevant main phase or sub phase of the development shall be submitted to and approved by the Local Planning Authority in writing before any above groundworks commences on that main phase or sub phase. The site levels shall be constructed in accordance with details approved.

Reason - To ensure that the work is carried out at suitable levels in relation to adjoining properties and highways, having regard to amenity, access, highway and drainage requirements in accordance with the council's adopted supplementary planning guidance.

20. Landscaping Scheme

Prior to the commencement of any above groundworks of any main phase or sub-phase, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority for that particular main phase or sub-phase of development. The details submitted shall be in accordance with the approved Landscape Statement (February 2018) and Landscaping Technical Response (September 2018).

The landscaping details shall comprise a contoured plan to a minimum scale of 1:500 showing the existing features to be retained, new features proposed, their

specification and the treatment thereof, unless otherwise agreed in writing by the Local Planning Authority. The features to be shown on the plan shall include:-

- a) All existing trees (including details of their trunk position, spread and species), shrubs, hedges, grass areas and whether these are to be retained, or removed.
- b) Proposed planting of trees, shrubs, hedges, grass areas showing the species, size of plants, planting distances/densities, and the number of plants to be used.
- c) Details showing the location/depth and extent of any proposed underground works services within the spread of existing trees.
- d) Any alterations in ground level around existing trees, shrubs or hedges.
- e) Public footways, steps and other paved areas and the materials to be used.
- f) The location and height of all earthworks, embankments and walls and the materials to be used.
- g) Watercourses.
- h) Amenity areas indicating whether these are to be dedicated to public use.

The landscaping specification shall provide details of clearance works, removal of invasive species, ground preparation, planting and maintenance techniques.

Reason - To enhance the general appearance of the development.

21. Flood_Risk

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (27/09/2018, TRS/INL/E4505/127023, produced by Terry Seymour) and the following mitigation measures detailed within the FRA:

Provision of compensatory flood storage shall be carried out in line with the "Parcel inter-dependence for flood volume compensation" as described in the Flood Volume Compensation Scheme in Appendix H of the FRA.

Provision of compensatory flood storage shall be completed before construction of the proposed buildings has commenced.

Finished floor levels shall be set no lower than 300mm above the 1 in 100 year + 35% allowance for climate change flood level. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reasons -To reduce the risk of flooding to the proposed development and future occupants.

To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

22. Phased Surface Water & Drainage Strategy

Prior to the commencement of development (excluding demolition & site clearance) of each main phase or sub-phase, a detailed surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for that main phase or sub-phase of development. The details submitted shall be in accordance with the approved Flood Risk Assessment (dated 28 November 2018) (Document Reference: TRS/INL/E4505/17023).

The drainage design for each phase or sub-phase shall include the following:

1. Limiting the surface water run-off generated by the 1 in 100 year + climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
2. Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% climate change event and details as how this is to be achieved.
3. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features reducing the requirement for any underground storage.
4. Silt traps for protection for any residual tanked elements.
5. Calculations to demonstrate how the system operates during a 1 in 100 year critical duration storm event including drain down times for all storage features.
6. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
7. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.
8. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall even.
9. Provision of highway works relevant to that main phase or sub-phase as indicated with the Flood Risk Assessment

The scheme shall also set out methods to prevent contaminant transportation and migration along utility trenches or other structure.

The plan shall also confirm the construction details of sewers and drainage.

The development shall be carried out in accordance with the approved details.

Reason - To ensure that the foul and surface water discharge from the site shall not be prejudicial to the existing sewerage systems.

23. Surface Water and Drainage Management Plan

Upon completion of the drainage works for each main phase or sub-phase hereby approved, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include;

1. Provision of complete set of as built drawings for site drainage.
2. Maintenance and operational activities.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To ensure appropriate management and maintenance of the completed SuDs and drainage measures and ensure no adverse impacts resulting from flooding or drainage on the site.

24. Water Management Strategy

The development hereby approved shall be occupied until an integrated water management strategy detailing, what infrastructure is required, where it is required, when it is required (phasing) and how it will be delivered, has been submitted to and approved by the local planning authority in consultation with the water undertaker.

The development shall be occupied in line with the recommendations of the strategy.

Reason - The development may lead to no water and or significant environment impacts an Integrated water management strategy is required to ensure that sufficient capacity is made available to cater for the new development; and in order to avoid adverse environmental impact upon the community.

25. Wastewater Network Upgrade

No properties shall be occupied until confirmation has been provided that either:

- I. all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or
- II. a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied.

Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan

Reason - The development could lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.

26. Water Network Upgrade

No properties shall be occupied until confirmation has been provided that either:

- I. all water network upgrades required to accommodate the additional flows from the development have been completed; or
- II. a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied.

Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan

Reason - The development could lead to inadequate water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

27. Development here by approved shall not commence – until an integrated water management strategy detailing, what infrastructure is required, where it is required,

when it is required (phasing) and how it will be delivered, has been submitted to and approved by, the local planning authority in consultation with the water undertaker. The development shall be occupied in line with the recommendations of the strategy.

Reason - The development may lead to no water and or significant environment impacts an Integrated water management strategy is required to ensure that sufficient capacity is made available to cater for the new development; and in order to avoid adverse environmental impact upon the community.

28. Works to Trees

In the event of the death or destruction of any tree, shrub or hedge within the site to which Condition 20 above relates, within 5 years of first occupation, due to felling, cutting down, uprooting or in any other manner, then unless the Local Planning Authority have dispensed in writing with this requirement there shall be replanted in its place, within such period and of such size and species as shall have been approved by the Local Planning Authority, another tree, shrub or hedge.

Reason - To enhance the general appearance of the development and safeguard the appearance and character of the area.

29. Works to Trees

No tree on the site shall be lopped, topped, felled or otherwise interfered with and no hedges removed without the prior agreement in writing of the Local Planning Authority, before the expiration of a period of 5 years after completion of the development permitted.

Reason - To assimilate the development into the landscape and to safeguard the appearance and character of the area.

30. Energy

Each Reserved Matters application shall include a report detailing how the requirements set out within the approved Environmental Statement Chapter 12 – Sustainability and Climate Change (March 2018) have been met, or such other standards as appropriate, to be submitted and approved in writing by the Local Planning Authority.

Reason: To demonstrate compliance with the approved Environmental Statement Chapter 12 - Sustainability and Climate Change.

31. Contamination

Prior to the commencement of any below ground works for any main phase or sub-phase of the development, a detailed site investigation shall be carried out for that main phase or sub-phase to establish the level of site contamination, to assess the degree and nature of the contaminants present and to determine its potential for environmental pollution. This should take into account the historical uses of the site.

The method and extent of the site investigation shall be agreed with the local planning authority. Details of measures to prevent environmental pollution including provisions for monitoring shall then be submitted to and approved in writing by the Local Planning Authority.

The development shall then proceed in accordance with the measures approved. The developer must submit a validation report to the local planning authority upon completion of any remediation works.

Reason - To ensure that any site contamination is dealt with safely in the interests of preventing pollution of the environment, the health and safety of the public and users of the development.

32. Archaeological Watching Brief

An archaeological watching brief shall be maintained during all intrusive groundworks to areas of the site which are not currently covered by buildings.

Reason - In order to protect any concealed heritage assets.

33. Travel Plans

The travel plan(s) set out in the planning obligation which accompanies this permission shall be implemented in full as approved for the lifetime of this development.

Reason - In order to promote alternative modes of transport to the private motor vehicle

34. Integrated Bat Boxes

Prior to the commencement of any above ground works on development parcels;

- Parcel 7B
- Parcel 8B
- Parcel 9
- Parcel 10A
- Parcel 11; and
- Parcel 12

as shown on the Phasing Plan (Dwg. 3043-D6290-rev01), details of the location and model of bat boxes shall be submitted to and approved in writing by the Local Planning Authority.

20 Integrated bat boxes e.g. Habitat 003 should be placed as high as possible in the brickwork of the Eastern aspect of the buildings facing the railway line.

The measures approved shall be implemented prior to first occupation of any part of the relevant phase of the development.

Reason - In the interests of promoting biodiversity and protecting endangered species in accordance with Policy GBC20 of the adopted Local Plan 2005.

35. Integrated Bird Boxes

Prior to the commencement of any above ground works on development parcels:

- Parcel 2;
- Parcel 3;
- Parcel 4;
- Parcel 5; and
- Parcel 6

as shown on the Phasing Plan (Dwg. 3043-D6290-rev01), details of the location and model of integrated bird boxes shall be submitted to and approved in writing by the Local Planning Authority.

20 Integrated bird boxes should be placed in the brickwork of the western aspect of buildings abutting the Western Park. Boxes such as Habitat swift brick and Manthorpe Swift brick are appropriate.

The measures approved shall be implemented prior to first occupation of any part of the relevant phase of the development.

Reason - In the interests of promoting biodiversity and protecting endangered species in accordance with Policy GBC20 of the adopted Local Plan 2005.

36. Windmill Lane Ditch Restoration

A scheme demonstrating how the Windmill Lane Ditch will be restored and enhanced to a more natural state shall be submitted to and approved in writing by the local planning authority at the reserved matters stage. Thereafter these works shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority.

The scheme shall include:

Details of any proposed enhancement and restoration of the channel

Plan-form design

Detailed plans showing the channel cross-sections

Details demonstrating how the buffer zone will be managed and maintained over the longer term to enhance the ecological value

Details of the native species planting scheme

Reasons - To reduce the risk of flooding by providing more space for water and improve amenity space.

The Thames River Basin Management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies.

To enhance the ecological value of the Windmill Lane Ditch in line with paragraph 170 of the National Planning Policy Framework, which requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity, this is in line with your Local Plan policy 2.6 'Landscape enhancement' with mention of the Lea Valley. Paragraph 175 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

37. Sport Facilities

Prior to the commencement of development on the primary school, full details of the design and layout of the school sports facilities shall be submitted to and approved in writing by the Local Planning authority.

The primary school sport facilities shall not be constructed other than in accordance with the approved details.

Reason – To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy CLT1.

38. Community Use Agreement

Prior to occupation of the primary school, a community use agreement shall be submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the school sports facilities and include details of pricing policy, hours of use, access by non-primary school users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy CLT1.

39. Hours of Work

No demolition, construction or maintenance activities audible at the site boundary of any residential dwelling shall be undertaken outside the hours of 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 Saturday or at any time on Sundays and bank or public holidays without the written approval of the Local Planning Authority, unless the works have been approved in advance under section 61 of the Control of Pollution Act 1974.

Reason - To ensure that the demolition of the existing buildings and the construction and maintenance of the development does not prejudice the amenities of occupiers of nearby premises due to noise pollution.

40. Piling

Within any main phase or sub-phase hereby approved, no impact piling or other foundation design using penetrative methods shall take place until a piling method statement detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent damage to sub-surface water infrastructure and utilities.

Any piling shall be undertaken in accordance with the approved piling method statement.

Reason – To protect groundwater and other sub-surface infrastructure from pollution and physical harm.

41. Refuse / Recycling Storage

Details of refuse storage facilities including facilities for the recycling of waste to be provided within the development shall be submitted to and approved in writing by the Local Planning Authority before any superstructure work is commenced on any main phase or sub-phase hereby approved.

The facilities shall be provided in accordance with the approved details before the development is occupied or use commences.

Reason - In the interests of amenity and the recycling of waste materials in support of the Boroughs waste reduction targets and the adopted SPG.

42. Car Parking Management Plan

Prior to the occupation of any main phase or sub-phase, a car parking management plan for that main phase or sub-phase shall be submitted to and approved in writing by the local planning authority. The management plan shall include details of:

- Allocated and unallocated residential car parking provision;
- Residential car club parking provision;
- Non-residential long-stay car parking provision;
- Non-residential short-stay car parking provision; and
- Servicing bays and areas for deliveries.

The car parking requirements within any main phase or sub-phase shall be kept under review based on demand in preceding phases.

Reason – To ensure adequate parking provision is provided in the interest of highway safety and in order to promote the use of sustainable modes of transport.