



Phase 2

Statement of Common Ground

Matters of Agreement between Countryside Properties Ltd and East Herts Council

in respect of

Land North of Sawbridgeworth (SAWB4)

October 2017

Our Ref: C17079

Phase 2 PLANNING & DEVELOPMENT LIMITED

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Appendices

[Separate Documents]

1. Introduction

- 1.1 This Statement of Common Ground (SoCG) sets out those matters which have been agreed between Countryside Properties Ltd and East Herts Council (EHC) as Local Planning Authority, pursuant to the release of land from the Green Belt and its proposed allocation for residential development in the Pre-Submission District Plan.
- 1.2 This SOCG responds to the Executive Panel resolution made on 25 August 2016, (confirmed by Full Council) which proposes to allocate Land North of Sawbridgeworth for residential development. This SoCG has been prepared between the aforementioned parties to assist the Local Plan Inspector in the consideration of the residential allocation at the Examination of the District Plan and reflects the main matters upon which Countryside Properties Ltd and EHC are agreed.
- 1.3 This SoCG also sets out those matters which have been agreed with the main utility providers and indicates the agreed scale and scope of the new infrastructure required to facilitate the proposed development. All relevant correspondence in relation to the levels of new infrastructure required are appended to the SoCG.
- 1.4 The costs of the new infrastructure, beyond those ordinarily and reasonably expected for a development scheme of this nature and scale, are as set out in the Infrastructure Delivery Plan (IDP).
- 1.5 This SoCG is submitted to the Examination without prejudice to any other matters which are not agreed at the time of the (Regulation 19) submission of the District Plan to the Secretary of State.
- 1.6 The agreed matters in this SoCG do not preclude any written or verbal representations that Countryside Properties Ltd may wish to make, as part of the Local Plan Examination Hearings, in relation to any other matters which have not been agreed and which do not form part of this SoCG.

2. The Development Proposals

The Site Boundary

- 2.1 The site area (red line) boundary is defined within **Appendix 1** attached to this SoCG. Within this site area, there is the potential provision for an overall development of approximately 200 dwellings (which are agreed to be delivered within the Plan period) together with all necessary ancillary infrastructure and open space provision, as described in the following sections (hereafter referred to as 'the development proposals'). Countryside continues to negotiate terms to bring forward the remaining land within the allocation.

Indicative Layout

- 2.2 **Appendix 2** provides an illustrative indicative layout plan for the site. Drawing 1227.F0.SK01 Rev A shows a without prejudice indicative layout of how the principal elements of the development proposals, which comprises approximately 150 dwellings on the land which has agreement (within the red line) which could potentially be provided, subject to future Masterplanning. Negotiations are taking place in relation to the rest of the site area (within the blue line) that would enable the delivery of approximately a further 50 dwellings in the period 2017-2022. The layout has been designed to allow the development of all of SAWB4 which would allow the development of the 200 units to be allocated to it.

Quantum of Development, Principle Land Uses and Dwelling Mix

- 2.3 Drawing 1227.F0.SK01 Rev A currently illustrates, within the developable site area, the provision for the following residential uses (the quantum and locations of which are to be agreed);
- Private housing
 - Affordable Housing
- 2.4 Green open space will be provided through the development and the exact quantum of dwellings that can potentially be delivered by the development proposals will be determined by a detailed Masterplanning process.
- 2.5 It is agreed that the development proposals can accommodate approximately 150 dwellings within the boundary area shown at **Appendix 2** with a further 50 dwellings anticipated to come forward in the period 2017-2022.
- 2.6 A mix of market and affordable dwellings will be provided. The specific number of each dwelling type will be agreed for each phase at the planning application and reserved matters stage.

3. Infrastructure and Utilities

Required Infrastructure and Indicative Costs

- 3.1 It is agreed that the relevant infrastructure necessary to service the proposal primarily comprise diversions and reinforcements for: water, gas, electricity, telecoms, media and street lighting.
- 3.2 The extent of these diversions and reinforcements are set out in the Triconnex Utilities Report (June 2017) attached at **Appendix 3** with the updated confirmations of the respective utility providers.
- 3.3 The key findings of the Utilities Report are agreed and are as set out below.

Engagement with Key Utility Providers to Date

Water

- 3.4 The existing infrastructure is owned by Affinity Water, an enquiry for water capacity with Affinity has been made and a response dated 31/8/17 has been received, attached at **Appendix 4**. This confirms that there are no offsite upgrade works required and therefore there is sufficient capacity within the system to provide water.

Foul Water

- 3.5 Thames Water have confirmed that the existing foul sewer which crosses Cambridge Road to the south of the site has sufficient capacity for the anticipated flow from the site.
- 3.6 This ongoing work is confirmed by the letter from Thames Water, dated 29 June 2017 (see **Appendix 5**).
- 3.7 In line with Thames Water's representations to the Pre-Submission District Plan, a foul water drainage strategy will be prepared as part of more detailed design work. This will take account of all proposed growth in the town and will identify where upgrades may need to be provided.

Flood Risk and Drainage including surface water

- 3.8 Discussions with Thames Water have been undertaken on behalf of Countryside Properties Ltd and have focussed on agreeing the scope of works necessary for the drainage strategy. At the time of writing, Thames Water, are in productive discussions with Countryside and a preliminary attenuation pond layout drawing E3715/230 has been produced to identify the required solutions to achieve suitable surface water drainage (see **Appendix 6**).

- 3.9 Further discussions will be undertaken with regard to the existing drainage infrastructure and the potential wastewater network capacity/connectivity.

Gas

- 3.10 Cadent have confirmed that there is a main situated at the site entrance, minimal offsite works will be needed to bring the main onto the development, as set out in page 4 of the Triconnex Report at **Appendix 3**.
- 3.11 Triconnex have been appointed to provide technical guidance on the most appropriate gas connections to the National Grid (see **Appendix 3**). In this regard, Triconnex have allowed for individual connections to each residential plot terminating at a smart meter within a wall mounted box (recessed or surface mounted). Triconnex have designed the gas network onsite so that a 90mm LP main will be capped just before phase 2 so that a connection can be obtained without the need of excavating the new road infrastructure when constructing the extra units.
- 3.12 An appropriate sum will be set aside for the installation of on-site gas mains and services to serve the development.

Electricity

- 3.13 UK Power Networks are the electricity network operator for the area which covers the development proposal. The proposed development will be located to the north of the point of connection (POC) on Cambridge Road next to The Bull Pub. From the POC, Triconnex will dual lay HV cable along the carriageway and verge of Cambridge Road to the site boundary comprising of 227m excavation, reinstatement and traffic management.
- 3.14 Once on site, Triconnex will dual lay HV cable up to a distribution substation for further distribution. It should be noted that a substation requires a 6m by 6m easement depending on the network adopters. From the substation Triconnex will install a new LV network across the site with individual services for houses terminating within approved external meter boxes or an agreed internal ground floor position for each property.

Telecoms

- 3.15 Triconnex have identified that there is an existing BT cable crossing the development however to date there has not been an application for the disconnection of this BT cable as an application fee is required. However, Triconnex can submit the application once a fee has been paid.

Media

- 3.16 Triconnex have confirmed that the site can be serviced with fibre to the premise (FTTP). Triconnex will connect to the existing fibre network and will undertake all offsite works, excavation, ducting and fibre install to a new cabinet offsite.
- 3.17 Once onsite Triconnex will install a cabinet containing a fibre aggregation node/convergence point either freestanding or integrated within a bespoke brick built substation. From this point Triconnex will install fibre to the premise terminating internally at a consumer unit. From the consumer unit onwards the developer is to install all Cat 5e cabling.

4. Geo-Environmental Assessment

4.1 The preliminary soil report indicates that the ground conditions of the site are as follows:

- Topsoil up to 1m thick (generally 300 to 600mm);
- Clay/sand to full depth of testing which was 6.5m;
- Strip foundations, min depth away from trees 1m. Deepened nearer trees. Possible piled foundations if tree/clay conditions require foundation depth > 2m;
- Contamination remediation not considered necessary based on chemical test and desk study results; and
- Soakaways are appropriate in some places in accordance with SuDS.

4.2 The final GEO and lab tests are anticipated to be available imminently.

5. Transport and Highways

- 5.1 **Appendix 7** provides a drawing indicating that adequate acceptable visibility splays can be achieved at the junction serving the application site. **Appendix 2** indicates the new spine road which runs through the site, as required by criterion II(g) of emerging Policy SAWB4.
- 5.2 The new spine road shall be completed in accordance with the relevant trigger as to be agreed with the Highway Authority and set out in the relevant Planning Obligation
- 5.3 It is anticipated that there is capacity within the existing road network to support a modest level of development from the site.
- 5.4 Hertfordshire County Council (HCC) has been undertaking strategic transport modelling work (known as COMET) which takes account of all proposed growth in the county and seeks to identify areas where the highway network is likely to become stressed, and therefore, where mitigation measures will be required.
- 5.5 As part of this work, HCC has advised that the A1184 corridor currently suffers from congestion at peak times, and that planned development, both within Sawbridgeworth and beyond (including the Gilston Area and Bishop's Stortford South), is likely to increase congestion. This will be partly ameliorated through the provision of a new Junction 7a on the M11. However, further mitigation is required on the A1184 itself, within Sawbridgeworth:
- Signalisation of A1184 London Road / West Road / Station Road junction (identified as costing approximately £175,000 subject to further design work and modelling); and
 - Signalisation of A1184 / High Wych Road junction (identified as costing approximately £175,000 subject to further design work and modelling).
- 5.6 The full scope and timing of these works will be agreed with HCC as part of more detailed design work. However, HCC has not objected to the principle of development in this location, including access arrangements, as confirmed by an SoCG agreed between East Herts Council and HCC which forms Appendix E to the Duty to Co-operate Compliance Statement (Document SOC/001).
- 5.7 In addition, provision for sustainable forms of transport will also be required:
- Potential provision of peak period bus services (e.g. extend operation period of SawboBus);
 - Potential bus stop improvements; and
 - Residential Travel Plan.

- 5.8 The sustainable location of the site, close to Leventhorpe Secondary School and within walking distance of primary school provision and the town centre and close to sustainable transport opportunities will encourage walking and cycling.
- 5.9 Additional sustainable transport measures will be provided within the development to accommodate cyclists and pedestrians. Early delivery of these measures will ensure that all new residents are encouraged to adopt sustainable travel patterns at the outset. The development will ensure sufficient permeability for cyclist and pedestrians as part of the emerging Masterplan.

6. Trees and Landscape

- 6.1 A survey of the trees on the Site has been undertaken by Southern Ecological Solutions (SES), their report is attached at **Appendix 8a**. Drawing 1, (**Appendix 8b**) a Tree Survey Plan indicates that the majority of the trees contained within the area be developed are of low or moderate quality.

7. Ecology

7.1 **Appendix 9** provides an Ecological Due Diligence Report dated July 2017 by Southern Ecological Solutions the objectives of which were to:

- Identify invasive plant species listed under schedule 9 of the Wildlife and Countryside Act 1981;
- Highlight the main ecological features within the site;
- Make an initial assessment of the likely presence or likely absence of species of conservation concern;
- Identify any legal and planning policy constraints relevant to nature conservation which may affect the development;
- Determine any potential further ecological issues; and
- Determine the likely need for further surveys, mitigation and budget costs.

7.2 The Report concludes that as part of any planning application and in order to adhere to relevant wildlife legislation that the following ecological reports will be required:

- Designated Sites Impact Assessment;
- Extended phase one habitat survey (including invasive species);
- Bats (activity survey; internal / aerial inspection; emergence/re-entry surveys);
- Reptile presence and likely absence survey;
- Invertebrate walkover assessment;
- Badger; and
- NERC Act small mammals

7.3 However, despite the need for further ecological surveys the Report states that the site considered to be wholly deliverable in compliance with local/ national planning policy and relevant wildlife legislation.

8. Archaeology & Historic Environment

- 8.1 An Archaeological/Historic Environment Risk Appraisal (July 2017) by CgMs Limited is provided at **Appendix 10**.
- 8.2 The Appraisal notes that both National and Local and Regional Planning Policy include recommendations that require heritage assets to be addressed and their significance recognised. However, there are no heritage assets recorded on the site.
- 8.3 While there are no listed and locally listed buildings on the site there are listed structures present to the north and south. These will be a consideration in any planning application therefore any planning application will have to be accompanied by a Heritage Statement that assesses the setting of the listed buildings and their significance.
- 8.4 Finally, the report concludes that in relation to buried archaeology, due to the size of the site, its location on sand and gravel and the recorded archaeological background, that a planning application will have to be accompanied by an archaeological desk-based assessment. It is anticipated that the Local Planning Authority's Archaeological Advisers will probably require geo-physical survey and evaluation trial trenching although it is not clear whether this would be required pre- or post-determination.

9. Education

- 9.1 It would be expected that the development would attract a requirement for contributions in accordance with HCC's developer contributions toolkit. The precise level of contribution will be the subject of discussions with HCC. The provision of 500 dwellings in Sawbridgeworth across the three proposed allocations is dependent on the delivery of a one form of entry expansion to Mandeville Primary School which will be facilitated by the development of Land North of West Road (SAWB2). Countryside Properties will therefore need to liaise with Taylor Wimpey and HCC in order to ensure that development timescales are aligned.

10. Summary of Mitigations Required

Water

- 10.1 Likely extension of existing water mains, costs to be determined.

Gas

- 10.2 General offsite works are anticipated to the MP Gas main on Cambridge Road. Assumed costs as set out in the Triconnex Report at **Appendix 3**.

Electricity

- 10.3 UK Power Networks have indicated a requirement for an overall capacity of 534kVA to serve the development proposal. The following upgrades will therefore be required:

- dual lay HV cable along the carriageway and verge of Cambridge Road to the site boundary comprising of 227m excavation, reinstatement and traffic management;
- on site, dual lay HV cable up to a distribution substation for further distribution;
- substation requires a 6m by 6m easement depending on the network adopters; and
- from the substation a new LV network will be installed across the site with individual services for houses terminating within approved external meter boxes or an agreed internal ground floor position for each property

- 10.4 Assumed costs are set out in **Appendix 3**.

Flood risk and drainage

- 10.5 The development site does not lie within the indicative undefended floodplain and is classified as a 'Flood Zone 1' site of lowest risk from flooding and has not been subject to any major historical flooding issues.

- 10.6 To mitigate Surface Water run-off, a Sustainable Urban Drainage (SuDS) system will be devised for each development parcel, which will accord with the principles of the NPPF. The SuDS scheme will look to use infiltration techniques to convey surface water run off to the underlying soil where possible (subject to suitable prevailing ground conditions). Post development discharge rates will be calculated for each parcel to ensure that flood risk is not increased elsewhere.

- 10.7 Additional surface water mitigations are likely to comprise:

- Green/brown roofs;
- Basins and ponds;
- Filter strips and swales;
- Infiltration devices;
- Permeable surfaces; and
- Tank/geo-cellular systems.

10.8 Any required foul sewer to service foul water drainage will be implemented in accordance with a suitable development trigger as agreed with the statutory provider and set out in the relevant Planning Obligation.

Transport and Highways

10.9 The required highways mitigation measures are referenced in Section 5, in addition to required sustainable transport measures.

11. The Planning Application and Delivery

Planning Application Timescales

- 11.1 The timing of pre-application discussions and the submission of any planning application will be considered through a Planning Performance Agreement. The collaborative preparation of a Masterplan will establish the principles of development for the allocation site and underpin any subsequent planning application.
- 11.2 The application will be prepared in accordance with the Masterplanning provisions and will be consistent with any relevant forthcoming Neighbourhood Plan provisions for the area.
- 11.3 The date of submission of a planning application is likely to be following the receipt of the Inspector's report and conformation of the Council's intended residential allocation.
- 11.4 An Environmental scoping assessment will be undertaken to allow for any seasonal assessments to be undertaken in advance of the preparation of the outline planning application.

Commencement, Phasing and Build Rates

- 11.5 Without prejudice, it is agreed that, subject to the approval of a detailed application, signing of the S106, the discharge of relevant pre-commencement conditions, the timing should allow for the first phase of at least 60 dwellings to be delivered by March 2020. It is also agreed that the remaining dwellings will be delivered by 2022 with an average build rate of approximately 80 dwellings per year.

The Masterplan Process

- 11.6 The Masterplan will be prepared in conjunction with a process of engagement with key stakeholders, including EHC, the local community and the relevant Town and Parish Councils and other relevant parties.

12. Masterplanning, Community Engagement and the Sawbridgeworth Neighbourhood Plan

- 12.1 As set out at Paragraph 11.6 of this SoCG, the Masterplan will be prepared in conjunction with a process of engagement with all key stakeholders, including: - EHC and Sawbridgeworth Town Council. Pre-application engagement will be undertaken with the local community.
- 12.2 Countryside Properties Ltd will undertake an appropriate level of community engagement and will work collaboratively with EHC and other key stakeholders, including the Town Council to facilitate the agreed scope of engagement.
- 12.3 Countryside Properties Ltd will assist the Town Council, where possible, to provide continuity between the Masterplan for Sawbridgeworth and the emerging Neighbourhood Plan, should it progress further prior to development.

13. Outstanding Matters to be Resolved

- 13.1 This SoCG confirms that, in relation to the principle agreement that 150 dwellings can be delivered initially (with a further 50 to follow) at Land North of Sawbridgeworth within the first five years of the Plan period, there are no outstanding matters of disagreement between the signatories of this Statement and EHC which remain to be resolved.

14. Conclusion and Declaration

- 14.1 This document forms an agreed Statement of Common Ground to assist the future Examination of the new District Plan. This SoCG is between the Site Promoters, being Countryside Properties Ltd and East Herts Council, whom are the Local Planning Authority. This SoCG relates to the promotion of Land to the North of Sawbridgeworth for residential use.
- 14.2 This SoCG reflects those matters which have been agreed and is without prejudice to matters which are currently not agreed, notwithstanding any further future agreement which may be reached between the promoters and East Herts Council. This SoCG does not preclude any additional representations Countryside Properties Ltd or their professional advisors may wish to make to the District Plan Examination, either orally or in writing, in respect of relevant matters relating to this site. In addition it does not preclude the Council from raising any further issues in relation to this site.

Signature:

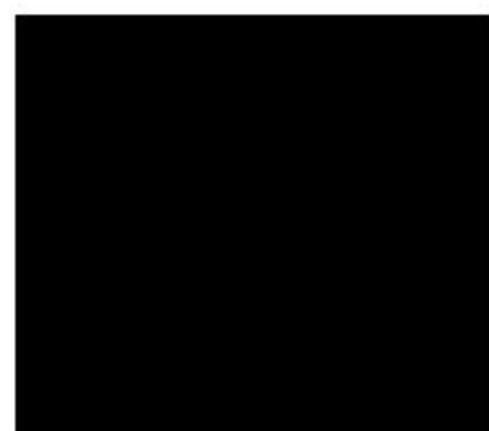


Print Name: Claire Sime

Date: 19/10/2017

On behalf of East Herts Council

Signature:



Print Name: Trevor Dodkins

Date: 19/10/2017

On behalf of Countryside Properties Ltd

List of Appendices

Appendix 1 - Site plan

Appendix 2 - Proposed indicative layout

Appendix 3 – TriConnex Quotation

Appendix 4 – Affinity Budget Letter

Appendix 5 - Thames Water Letter

Appendix 6 – Pond Layout

Appendix 7 – Visibility splay

Appendix 8a – Tree Survey Schedule - Key To Terms

Appendix 8b – Tree Survey Plan

Appendix 9 – Ecological Due Diligence Report

Appendix 10 - Archaeological/ Historic Environment Risk Appraisal



Phase 2

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