

<b>ITEM NO:</b>	<u>Location:</u>	Ladygrove Mews, Hitchwood Lane, Preston, Hitchin, SG4 7SA
<b>8</b>	<u>Applicant:</u>	Court Group Ltd
	<u>Proposal:</u>	Section 73 application: Sprayed gravel /chipping finish to the car parking spaces as a variation of discharge of condition 4 reference 12/01732/1DOC granted 08/10/2012 (in association with planning permission reference 11/02263/1 granted 21/02/2012 for the change of use of B1 offices into 10 x 2 bedroom residential units and insertion of roof lights in southern roof slope of Units 9 & 10. Erection of four garages, garden store and bin store. Conversion of part of barn to provide 6 stores. Change of use of car park to residential amenity space.
	<u>Ref. No:</u>	16/01064/ 1
	<u>Officer:</u>	Tom Rea

**Date of expiry of statutory period:** 29 June 2016

**Reason for Delay** (if applicable)

N/A

**Reason for Referral to Committee** (if applicable)

The site area exceeds 1 hectare.

### **1.0 Relevant History**

- 1.1 11/02263/1: Change of Use of existing B1 Offices into 10 x 2 Bedroom Residential Units and insertion of roof lights in southern roof slope of Units 9 and 10. Erection of 4 Garages; Garden Store and Bin Store. Conversion of part of barn to provide 6 stores. Change of Use of Car Park to Residential Amenity Space. Granted conditional consent on 21/2/12.

The above permission has been implemented.

### **2.0 Policies**

#### **2.1 North Hertfordshire District Local Plan No.2 with Alterations**

- Policy 6 - Rural Areas beyond the Green Belt
- Policy 25 - Re-use of Rural Buildings
- Policy 51 - Development Effects and Planning Gain/SPD: Planning Obligations.
- Policy 55 - Car Parking Standards/SPD: Parking Provision at New Development.
- Policy 57 - Residential Guidelines and Standards

#### **2.2 National Planning Policy Framework**

- Section 6: Delivering a wide choice of high quality homes
- Section 7: Requiring good design
- Section 11: Conserving and enhancing the natural environment
- Section 12: Conserving and enhancing the historic environment

### 2.3 **North Hertfordshire Local Plan 2011 - 2031 (Preferred Options, December 2014)**

This document was approved by Full Council on 27th November 2014 for consultation. At present the policies in the plan carry very limited weight. Policies that may be of some relevance to this application are considered to be as follows:

Policy CGB1: Green Belt

Policy D2: House extensions and replacement dwellings

### 2.4. **Supplementary Planning Guidance:**

Planning Obligations SPD

Vehicle Parking Provision at New Development (2011)

## **3.0 Representations**

3.1 **Preston Parish Council:** 'Supports this application'

3.2 **NHDC Conservation Officer:** Does not raise any objections to this application

3.3 **Lutyens Trust:** Advises that the Trust has no comments to make on this application.

3.4 **Site Notice/Adjoining occupiers:** letters have been received from the occupiers of 2, 4, 6, & 7 Ladygrove Mews raising the following concerns:

- spray bound gravel is not stable and appropriate for this location
- the proposed surface finish would be cheaper option and an attempt to reduce costs
- applicant is Court Group Limited not Court Construction Ltd.
- will not provide a road/surface contrast or define parking bays
- car parking block cannot accommodate 8 parking spaces/plans incorrectly drawn
- pavers or block paving will provide a more stable and durable parking area surface that would be appropriate to its location. Block paving would achieve the proper demarcation of each parking bay
- Court Homes Limited had previously advised residents that the outstanding works would be undertaken. Residents advised the management company that a durable surface material of heritage quality should be used
- concern over inferior quality material proposed and future maintenance
- the applicant has not complied with the terms of condition 4 in that the approved details were required to be carried out 'prior to the first occupation of the development'
- contract between Court Group and the lease holders requires block paving finish to car parking area
- will result in a uniform surface to the service road and parking areas causing issues of segregation which is not practical
- Council would require visual separation
- Alternative treatments could be adopted
- Surfacing needs to be durable, avoid dust and disturbance to residents
- If no alternative solution is proposed than the current proposal should be rejected
- Increased farm traffic exacerbates the amenity concerns

## **4.0 Planning Considerations**

### 4.1 **Site & Surroundings**

4.1.1 Ladygrove Mews comprises a residential development of two bedroom dwellings created from the conversion of a grade II listed former stable and office buildings located off the western side of Hitchwood Land, Preston. The site is located within the Rural Area beyond the Green Belt.

## 4.2 **Proposal**

4.2.1 The applicant seeks a variation of the discharge of condition 4 of planning permission ref: 11/02263/1 which relates to the external hard surface treatment of the development site. The details of condition 4 were discharged under planning ref: 12/01732/1DOC on 8/10/12.

4.2.2 The approved hard surfacing materials included the existing concrete access road around the site to be of a sprayed chipping finish and the parking areas to be re-laid with brick pavers.

The applicant seeks a variation of the external materials so that the brick pavers for the parking areas are replaced with a sprayed chipping finish.

The applicants agents consider that there would be two advantages:

- that the surface would be stable and durable
- that the sprayed chipping finish would be an appropriately rustic surface suitable to the character of the barns and would blend in with the existing hard surfacing around them

## 4.3 **Key Issues**

4.3.1 The key issue is whether the change in external hard surfacing of the car parking areas would be appropriate to the character and appearance of the area.

4.3.2 The use of sprayed chipping finish to the existing concrete access road has been approved under discharge of condition ref: 12/01732/1DOC. The principle of using this type of material for the area around the buildings is therefore already accepted and its extended use for the car parking areas would equally be acceptable in my opinion. I agree with the applicants view that its rustic appearance would be appropriate to the locality and indeed it is extensively used as a hardsurfacing material in the area including within the development itself. As far as the impact on the setting of the listed building is concerned it is noted that the Lutyens Trust have no comment to make and therefore the assumption is that the Trust does not consider that the extended use of the chipping finish is harmful to the character and setting of the listed buildings. Likewise, the Council's conservation officer does not object to the proposed change in material from the approved block paving for the parking area. Furthermore, the Parish Council is in support of the proposals.

4.3.3 The issues raised by residents as noted above are acknowledged. However, as discussed above the material in itself is acceptable in conservation and character and appearance terms. The parking area is a privately managed area within a private and gated development and the issues of maintenance and the segregation of the parking area from the access road and any contractual arrangements between lease holders and the applicants is a matter for those parties. No material planning or conservation issues are raised by this change in material and therefore no fundamental objections could be sustained.

4.3.4 As this application will part super cede the originally approved application ref: 11/02263/1 it is considered necessary to attach all conditions that were attached to that permission (as relevant given that the development is now completed subject to landscaping details).

## 4.4 **Conclusion**

- 4.4.1 The proposed development is considered acceptable in planning terms and the impact on the designated heritage assets.

## **5.0 Legal Implications**

- 5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

## **6.0 Recommendation**

- 6.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

2. The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended no development as set out in Class (es) 1 of Part A-H of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the Local Planning Authority.

Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the area.

4. No vehicular parking associated with this development shall take place on the driveway that adjoins Ladygrove Cottages except for the purposes of loading and unloading.

Reason: In the interests of amenity and highway safety and to ensure that residents park in the allocated spaces provides.

### **Proactive Statement**

Planning permission has been granted for this proposal. Discussion with the

applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.