

<u>Location:</u>	Land At Heath Road Breachwood Green Hertfordshire SG4 8PL
<u>Applicant:</u>	Mr O Doyle
<u>Proposal:</u>	Reserved Matters application for approval of appearance, landscaping, layout and scale for outline application 22/02942/OP granted 18.09.2024 for 10 dwellings.
<u>Ref. No:</u>	24/02624/RM
<u>Officer:</u>	Tom Rea

Date of expiry of statutory period: 28th February 2025

Extension of statutory period: 17th April 2025

Reason for Delay: Awaiting consultation responses and in order to present the application to an available committee meeting.

Reason for Referral to Committee: Residential development on a site in excess of 0.5 hectares

1.0 **Site History**

22/02942/OP: Outline planning application for 10 dwellings (all matters reserved except for access) Granted 18.09.2024.

2.0 **Policies**

2.1 **North Hertfordshire District Local Plan (The Local Plan) 2011 – 2031**

Policy SP1: Sustainable development in North Hertfordshire
 Policy SP2: Settlement Hierarchy and Spatial Distribution
 Policy SP6: Sustainable Transport
 Policy SP7: Infrastructure requirements and developer contributions
 Policy SP8: Housing
 Policy SP9: Design and Sustainability
 Policy SP12: Green Infrastructure, landscape and biodiversity
 Policy SP13: Historic Environment
 Policy T1: Assessment of Transport matters
 Policy T2: Parking
 Policy HS3: Housing mix
 Policy D1: Sustainable Design
 Policy D3: Protecting living conditions

Policy D4: Air Quality
Policy NE2: Landscape
Policy NE4: Biodiversity and geological sites
Policy NE7: Reducing flood risk
Policy NE11: Contaminated land
Policy HE1: Designated heritage assets
Policy HE4: Archaeology
Policy IMR1: Five Year Housing Land Supply
Policy IMR2: Local plan early review

Policy KW1: Land west of The Heath, Breachwood Green

2.2 National Planning Policy Framework 2024

Section 2: Achieving sustainable development
Section 5: Delivering a sufficient supply of homes
Section 9: Promoting sustainable transport
Section 11: Making effective use of land
Section 12: Achieving well-designed places
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 15: Conserving and enhancing the natural environment
Section 16: Conserving and enhancing the historic environment

2.3 Supplementary Planning Documents

Vehicle Parking Standards at new development (2011) plus Appendix 4 of the Local Plan.

Design Supplementary Planning Document

Neighbourhood Plan

Kings Walden Parish does not currently have a made neighbourhood plan.

2.4 **Vehicle Parking at New Development SPD (2011)** (Plus Appendix 4 in North Herts Local Plan 2011 – 2031)

3.0 Representations

3.1 **Site Notice and Neighbour Consultation** – No responses received

3.2 **Hertfordshire Highways** – Initial response raised an objection due to additional swept path analysis information required. Re-consulted on revised information on 24th March. Any comments will be reported at the Committee.

3.3 **Kings Walden Parish Council**

No response received.

3.4 **Environmental Health (Air Quality/Land Contamination/Environmental Health (Noise))** – No objection. Conditions on the outline consent are noted.

3.5 **Archaeological Implications** – 'We commented on planning application 22/02942/OP. Provided these recommendations are provided for we have no further comments to make.'

- 3.6 **North Herts Waste and Recycling** – Require a swept path analysis for a refuse vehicle and general guidance on bin storage.
- 3.8 **North Hertfordshire Ecology** – No objection to the proposal.
- 3.9 **Local Lead Flood Authority** – Revised response received 19th March 2025 stating no objection to the application.
- 3.10 **Environment Agency-** No response.
- 3.11 **Hertfordshire County Council Growth & Infrastructure:**
No response.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.2 The application site comprises a rectangular shaped piece of land of approximately 0.6hectares located on the west side of The Heath. To the north the site abuts land now being used as residential gardens by a number of terraced properties facing The Heath. The western boundary of the site abuts public footpath FP08 whilst the southern boundary abuts the curtilage of a single residential plot known as The Pheasantry. The application site itself is mainly open in character with the site boundaries to the west and south as well as part of the site frontage onto The Heath containing trees and other vegetation. The site is relatively flat with only a slight fall from south west to south east. The site was formerly used as allotments which were cleared in September 2021. The allotments have been re-provided on another site on Coleman Road in the village.
- 4.3 There is no conservation area in the village however there are nearby listed buildings to the north and south.
- 4.4 Following the adoption of the Local Plan the village of Breachwood Green is designated a Category 'A' village and the whole of the site falls within the village boundary. The site has been allocated as a housing site (KW1 – Land west of The Heath, Breachwood Green). The site the subject of this application accounts for approximately 75% of the land allocated as KW1 with the northern part (25%) now forming extended gardens to properties fronting The Heath.

4.2.1 **Proposal**

- 4.2.2 The proposed development seeks reserved matters approval for the layout, scale, appearance and landscaping following the grant of outline planning permission for 10 dwellings on 18th September 2024, which included the means of access from Heath Lane.
- 4.2.3 The dwellings the subject of this reserved matters application are proposed to be two storey in height and would be sited around a central access road off Heath Lane. The dwellings would be of open market tenure and would comprise of 10 x 4 bedroom detached houses with three house types – type A, B and C1/ 2

- 4.2.4 The internal access road (with turning head) would be 5.5m wide plus 2.0 metre wide footpath on one side. Five no. visitor parking spaces would be marked out within the carriageway. Each dwelling would have three parking spaces (including garaging).
- 4.2.5 Landscaping would include tree, shrub, hedge, wildflower area and grassed lawns as well as a variety of hardsurfaced finishes.
- 4.2.6 External materials would include the following materials:
- Redland duoplain roof tile (charcoal grey / rustic red)
 - Ibstock Invanhoe facing brickwork
 - White or Grey UPVC fascia and window frames
 - Chalk / Ivory render
 - Buff cast stone cills
 - Larch timber cladding
- 4.2.7 The proposed dwellings are designed to meet and exceed the Nationally Described Space Standards and would be compliant with M4 (2) of the Building Regulations Part M – Accessible and Adaptable dwellings.

4.3 Key Issues

- 4.3.1 The key issues for consideration are as follows:
- Principle of development
 - Layout / siting
 - Scale
 - Appearance
 - Landscaping

Principle of Development

- 4.3.2 The principle of the erection of 10 dwellings on the site was established by the granting of outline planning permission on 18th September 2024 on the satisfactory completion of a Section 106 Legal which requires a number of infrastructure contributions and a management scheme for the proposed wildlife area, footpath links, landscaped areas and drainage infrastructure.
- 4.3.3 The outline planning permission includes a number of pre-commencement conditions covering the following matters:

Condition 3 – Surface Water Drainage scheme
Condition 4 – Archaeological Written Scheme of Investigation
Conditions 5, 6 & 7 – Detailed highway drawings
Condition 8 – Footpath link
Condition 10 – Construction Management Plan
Condition 11 – Environmental Risk Assessment
Condition 12 – Noise Mitigation measures
Condition 13 – Energy statement
Condition 14 – Fire Hydrants
Condition 15 – Site Waste Management Plan

Several of the pre-commencement conditions have been submitted for consideration and approval by the Local Planning Authority as follows:

24/02625/DOC – Condition 3 – SW Drainage – Agreed 10.03.25
25/00035/DOC – Condition 11 – Environmental Risk Assessment – Agreed 30.1.25
25/00189/DOC – Condition 12 – Noise – Agreed 30.01.25
25/00191/DOC – Condition 13 – Energy
25/00193/DOC – Condition 14 – Fire Hydrants
25/00305/DOC – Condition 4 – Archaeology WSI - Awaiting further information

4.3.4 Layout / Siting

- 4.3.5 The layout of the development has been influenced largely by the point of access agreed at the outline stage whereby a single vehicular and pedestrian access is proposed off Heath Lane in a position which provides adequate visibility and seeks to retain a group of established trees whilst also maintaining the route of an informal footpath which links Heath Lane with public footpath 008 sited along the western boundary.
- 4.3.6 As stated the proposed layout reserves a large area at the front of the site with Heath Lane as a wildlife area comprising trees and drainage pond with new planting either side of the carriageway and footpath. This well landscaped part of the site preserves and enhances the rural character of the village.
- 4.3.7 On entering the site the carriageway bends so that it is parallel with the site boundaries allowing housing development either side with a turning head at the western end. This layout is similar to the illustrative layout submitted at the outline stage which assisted in demonstrating that the site could accommodate 10 dwellings without adversely affecting the character of the area.
- 4.3.8 The majority of the proposed dwellings would have their main front aspect facing onto the access road providing visual interest and spaciousness as a result of the generous gaps between each dwelling. Garages would be set back behind the dwelling frontages thereby helping to main these gaps and reduce the built-up appearance of the development. Plots 5, 6 & 7 face onto the turning head although gaps between these dwellings helps to maintain views through the development to the open countryside to the west.
- 4.3.9 The position of the dwellings relatively close to the access road would help to provide natural surveillance but also ensure the maintenance of existing boundary planting and provision for new planting around the site boundaries. All of the dwellings would have private gardens of approximately 80 – 90 sqm that would provide adequate levels of outdoor amenity space for the future occupants. Each dwelling would have a floorspace that meets or exceeds the Nationally Described Space Standards and M4(2) disabled access requirements to ensure an inclusive and future proofed form of development.
- 4.3.10 Five visitor parking spaces are provided on street and each dwelling would be provided with three parking spaces. The Parking Supplementary Planning Document would require 2.5 visitor spaces and therefore rounded up to 3 spaces the development complies with the adopted standards and importantly allows for some extra capacity for visitor parking in this rural location. The proposed garages would be large enough to accommodate cycle storage in accordance with the Parking Standards SPD.
- 4.3.11 In terms of pedestrians, a 2-metre-wide footway would provide safe access into and out of the site connecting with the footpath along Heath Lane. A pedestrian 'green corridor link' would be maintained along the northern boundary linking footpath 008 (also retained within the site) with the wider footpath network.

4.3.12 The submitted commercial vehicle tracking drawings (refuse and fire appliance) demonstrate that these service vehicles would be able to enter and leave the site in forward gear as well as negotiate past cars parked on the 5.5m wide carriageway. The submitted S278 layout drawing demonstrates how the proposed vehicular access can achieve the necessary kerb radius, footpath connections and visibility sightlines to meet vehicular and pedestrian safety requirements notwithstanding concerns raised by the highway authority. In any event the means of access to the site has been granted already as part of the outline permission with full details to be agreed by conditions on that consent.

4.3.13 As stated above, outline permission has been granted for 10 dwellings and the density of the development is 16.6 dwellings per hectare which is similar to that of the surrounding area and is appropriate for this village location whilst making the most efficient use of the site. The layout of the proposed development including gardens, off street parking and garages would be in keeping with the overall pattern of development in the area.

4.3.14 It is noted that all of the dwellings would be 4-bedroom units with no smaller units proposed. Policy HS3 does not prescribe a specific overall mix for new housing development although a percentage of smaller units is recommended in the supporting text. Policy HS3 notes that housing will be supported where *'the scheme would provide a density, scale and character appropriate to its location and surroundings'* Whilst a greater mix house type and scale would be expected on large-scale developments, in this case the proposals would be sympathetic to the surrounding pattern of development which comprises mainly modern two storey detached dwellings particularly to the south of the site and the density is at a level appropriate for this rural village location.

4.3.15 Scale

4.3.16 The proposed dwellings would all be two storeys with no accommodation at second storey roof level. The maximum ridge height of the dwellings would be 9.3 metres and eaves height would be between 3.5m – 5.5m throughout the scheme. The garages would have a maximum height of 5 metres. The height and massing of the development is not dissimilar to that of nearby housing.

4.3.17 The majority of residential development in the village comprises two storey dwellings and therefore I consider that the scale of the development is generally compatible with the prevailing form of surrounding development.

4.3.18 Appearance

4.3.19 There are several types of dwellings proposed with some differences in orientation and external finishes. These variations within the site would provide a distinctive and unique form of development that will add to the character and appearance of the area.

4.3.20 The house types would be of a traditional architectural appearance with some contemporary elements. As stated in the design statement the main materials would be dark red facing brick and light-coloured render in keeping with similar development in the area. Traditional stone cills and brick arch headers coupled with dark grey/white upvc casement windows break up the use of one material and softens the mass of the proposed development. A dark concrete roof tile is proposed to achieve a minimal impact on the street scenes ridge line and to blend in with the surrounding context. The use of various styles of gabled roofs with some limited use of dormers help to break up the scale of the proposed dwellings whilst still maximising the use of the plots as family accommodation.

4.3.21 The application is accompanied by a comprehensive external materials schedule.

4.3.22 Landscaping

4.3.23 The criteria for the development of this site as set out in Policy KW1 includes the following landscape measures:

- Sensitive treatment on site frontage to minimise impacts upon setting of nearby Listed buildings on The Heath;
- Reinforce western site boundary to screen views, enhance Green Belt boundary and maintain rural setting of Listed buildings on Brownings Lane;

4.3.24 In terms of the site frontage the landscape details show the retention of a group of mature trees in the south eastern corner together with new tree, native hedgerow and wildflower planting. Within this area a fenced off detention basin is proposed.

4.3.25 The mature trees along the western boundary are to be retained with some new planting. The maintenance of public footpath 008 will reinforce this boundary.

4.3.26 New planting is set out in the detailed landscaping specification and include specimen trees, shrubs and hedges throughout the development. Boundary treatment can be secured by a planning condition should permission be granted. A Soft Landscape Management & Maintenance Plan for a five year period is submitted.

4.3.27 The use of tarmac for the access road and footpath, tegula blocks for parking bays and block paving for driveways and patios adds to the overall quality of the development.

4.3.28 Overall and as concluded at the outline stage, the proposal would be unlikely to have any significant effect on the landscape character of the area and that the visual impact on the development as experienced by people living close to and moving past the site would be in the range of moderate to negligible effect. Given the allocation of the site for housing in the local plan these effects would be expected. Overall it is considered that the proposals would comply with Policies D1, KW1 and NE2 of the Local Plan.

4.3.29 Conclusion

4.3.30 It is considered that the proposals achieve a sensitive integration with existing development. Existing rights of ways / footpaths are maintained and a new connection is achieved.

4.3.31 The development proposes a modest range of house types with a limited range of external materials. The form and architectural features of the development are sympathetic to the surrounding area. The development is compatible with local distinctiveness and adds to the overall quality of the area.

4.3.32 The development provides adequate parking in accordance with current standards. The means of access to the site has previously been approved and the access road is of sufficient width to accommodate service vehicles.

4.3.33 The density of the development is not excessive and two storey housing is appropriate given the scale of surrounding housing. There are no historic assets nearby or designated landscape or ecological areas that constrain development. The principle of

development on this site has been established in the Local Plan and agreed under an outline planning permission.

4.3.34 Given all of the above it is considered that the proposals would comply with Policies KW1, SP9, D1 and D3 of the adopted local plan and other relevant local plan policies as set out above. The proposals would enhance the quality of the area complying with the National Planning Policy Framework as well as boosting the supply of housing at a time when the Local Planning Authority does not have a five-year supply of deliverable housing land. In these circumstances the presumption is in favour of approving the reserved matters.

4.4 **Alternative Options**

4.5.1 None applicable

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 the **RESERVED MATTERS ARE APPROVED** 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, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

3. None of the trees to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

4. Any tree felled, lopped, topped, uprooted, removed or otherwise destroyed or killed contrary to the provisions of the tree retention condition above shall be replaced during the same or next planting season with another tree of a size and species as agreed in writing with the Local Planning Authority, unless the Authority agrees in writing to dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.