ITEM NO:	Location:	5 Green Drift Royston Hertfordshire SG8 5DB
	Applicant:	Mrs Golding
	<u>Proposal:</u>	Erection of 4no. four bedroom townhouses with private amenity space, car parking, and associated infrastructure and ancillary works, following demolition of existing bungalow and outbuildings.
	Ref. No:	18/02404/FP
	<u>Officer:</u>	Andrew Hunter

Date of Expiry of statutory period: 2nd November 2018

Reason for delay:

An extension of time has been agreed to allow the application to be reported to Planning Committee

Reason for referral to Committee:

Councillor Ruth Brown has 'called in' the application in support of the objection from Royston Town Council.

1.0 Site History

- 1.1 18/01625/FP Erection of 4no. four bedroom townhouses with private amenity space, car parking, and associated infrastructure and ancillary works, following demolition of existing bungalow and outbuildings Refused 13/08/18 for:
 - 1. The proposal by reason of its height, size, bulk and design would result in a development detrimental to the character and appearance of the locality. This would be contrary to policy 57 of the north Hertfordshire District Local Plan No. 2 with Alterations, and the guidance set out in Section 12 (Achieving well-designed places) of the National Planning Policy Framework.

2.0 **Policies**

2.1 North Hertfordshire District Local Plan No. 2 with Alterations (Saved Policies)

Policy 8 – Development in towns

- Policy 21 Landscape and open space pattern in towns
- Policy 55 Car Parking Standards

Policy 57 – Residential Guidelines and Standards

2.2 North Hertfordshire Submission Local Plan 2011 – 2031

Section 2 – Strategic Policies

- SP1: Sustainable development in North Hertfordshire;
- SP2: Settlement Hierarchy
- SP6: Sustainable Transport
- SP9: Design and Sustainability
- SP12: Green Infrastructure, biodiversity and landscape

Section 3 – Development Management

- D1: Sustainable design;
- D3: Protecting Living conditions
- NE1: Landscape
- T1: Assessment of transport matters
- T2: Parking

2.3 National Planning Policy Framework 2018

Section 5: Delivering a sufficient supply of homes Section 9: Promoting Sustainable Transport Section 12: Achieving well-designed spaces Section 15: Conserving and enhancing the natural environment

2.4 Supplementary Planning Documents

Vehicle Parking Standards at New Development (2011)

2.5 Hertfordshire County Council Local Transport Plan (LTP4 2018 – 2031) (adopted May 2018)

3.0 **Representations**

- 3.1 **Local Residents** The following objections were received:
 - The density is out of character. The development would dominate this end of Green Drift. Overdevelopment of the site. The site would benefit from two 4 bedroom houses. There are no other houses of this design and density fronting Green Drift. The houses will not regenerate the town centre. Loss of a green space.
 - Overpower the neighbouring Conservation Area.
 - The changes are minimal from the previous application. The side elevation is clumsier than it was.
 - Height and location, and associated obstruction of view and light. The dwellings should be at least 2m further from our boundary. No 'sun light' model has been submitted.
 - The views of the Landscape Officer have been ignored.
 - On-street parking encouraged by the extent of dropped kerbs. Suggest double yellow lines from Kneesworth Street.
 - Safety issues for pedestrians and traffic due to the number of crossovers proposed. Close to a busy junction.
 - Lack of parking provision. Existing parking problems.
 - Length of parking spaces not specified. Danger of vehicles overhanging the public footway.
 - No driver footpath for the 2nd parking space for each dwelling.
 - There is a large tree close to the west of the site, which has not been addressed.
 - Impractical bin storage. Bike storage not shown.

- Structural damage and disruption from construction.
- Street light and BT pole are not shown. No mention of the well.
- Strain on infrastructure, including water resources.
- Loss of property value.
- 3.2 **Royston Town Council** Object to the application. It is an overdevelopment of the site.
- 3.3 **Herts County Council highways** Does not wish to restrict the grant of permission, subject to conditions.
- 3.4 **Landscape** No indication of vegetation to be lost or affected. Loss of front boundary wall and vegetation which contributes to the character of Green Drift in this location. Little space for planting. Concerned about the rear dormer windows and lack of space for planting.
- 3.5 **Environmental Protection** No objection, however conditions are recommended.

4.0 Planning Considerations

4.1 **Site and Surroundings**

The application site comprises a detached bungalow with a hipped pitched roof which has two detached single garages on each side. The character of the locality is predominantly residential with terraced and detached dwellings, and flats in the converted building The Maltings, nearby. A car sales showroom is at the rear of the site. A Conservation Area adjoins the rear boundary of the site.

4.2 **Proposal**

Planning permission is sought for the demolition of the existing bungalow and its replacement with a terrace of 4 four-bedroom dwellings, which includes accommodation in the roof, and two rear dormer windows serving the middle two dwellings. The dwellings would have pitched roofs, and front and rear gable ends. The external materials are proposed to be grey slate tiles, buff coloured brick and white render. Each dwelling would have two parking spaces, which would require four new vehicular crossovers onto the public highway.

The changes to previously refused application 18/01625/FP are:

- A reduction in the main ridge height by 1m.
- Hipped ends not gable ends to both end dwellings.
- A reduction in the height of the rear and front gable ends by 1.1m and 0.9m respectively.
- The omission of all front dormer windows, with rooflights proposed.
- Two rear dormer windows with pitched roofs to serve both middle dwellings. A rooflight on the rear roof slope of each end dwelling.

4.3 Key Issues

- 4.3.1 The key material planning considerations are as follows:
 - Whether the principle of the new dwellings are acceptable
 - Siting and design of the proposal with regard to previously refused application 18/01625/FP and character and appearance of the locality
 - Impacts on neighbour amenity
 - Future living conditions
 - Highways and parking
 - Trees and landscaping.

4.3.2 **Principle of the development**

4.3.3 The site is in Royston, a Town as set out in Policy 8 of the adopted Local Plan, where development will be permitted if the aims of other relevant policies are met. Policy SP2 of the emerging Submissions Local Plan states that the majority of the District's development will be located within towns including Royston. New residential development on the site is therefore acceptable in principle, subject to complying with other relevant policies.

4.3.4 Siting and design

- 4.3.5 There are no objections to the demolition of the existing bungalow and its garage as it is not listed and not considered to be of significant historic or architectural merit.
- 4.3.6 The proposal will increase the number of residential units on the site from one to four with an associated increase in density of units, which will result in narrower individual dwellings and plots. The site is in an area of Green Drift where the density of residential properties are higher and consists of some terraced and detached and dwellings on narrower plots while there are also some detached dwellings on wider plots. There are also flats to the north-west (Malt House Place). A short distance to the east is Kneesworth Street which has a higher density residential character. In this context the four dwellings proposed on the site and their widths are considered compatible with the grain and pattern of development in the locality where their sizes and plots would be comparable to others nearby (for example Nos. 9-15 Green Drift, Maltings Close, and Ostler Court).
- 4.3.7 The proposed dwellings would be sited further forwards on the site than the existing bungalow. The main front elevation walls would be sited on a similar building line as the nearby buildings on the east and west, and are considered acceptable in this respect. The dwellings would have comparable footprints, widths and depths to nearby dwellings therefore these aspects of the proposal are acceptable.
- 4.3.8 The aspects of the proposal referred to in 4.3.6 and 4.3.7 are consistent with those of previously refused application 18/01625/FP, which were considered acceptable in its assessment. This is also applicable to the external materials, more contemporary design approach, and front elevation Juliette balconies.

4.3.9 Previous application 18/01625/FP was refused for the following reason:

The proposal by reason of its height, size, bulk and design would result in a development detrimental to the character and appearance of the locality. This would be contrary to policy 57 of the north Hertfordshire District Local Plan No. 2 with Alterations, and the guidance set out in Section 12 (Achieving well-designed places) of the National Planning Policy Framework.

4.3.10 The key parts of the officer delegated report relating to this reason were:

The proposed dwellings would be approximately 9.4m high with pitched roofs and gable ends, and would collectively appear large within the site and in the street scene. The 9.4m height would result in the dwellings appearing significantly higher than the buildings to the east and west, which are predominantly two storey buildings with shallower pitched roofs. The proposed dwellings would also appear larger in height than Malt House Place to the north-west and the buildings on the south opposite side of Green Drift.

Therefore for the reasons above the proposed dwellings would be considered to appear significantly higher and bulkier than nearby buildings, and would appear visually dominant within the street scene and therefore detrimental to its character and appearance. These visual impacts would be exacerbated by the proposed first floor front gable ends to each dwelling which would have a depth of approximately 0.8m from the main front walls.

- 4.3.11 The current application has reduced the main ridge height by 1m to 8.4m and has changed the roof design of the end dwellings from gable ends to hipped ends on their side elevations which have reduced the height, size and bulk of the dwellings. The front and rear projections have been reduced in height, size and bulk. The front dormer windows have been omitted, which amount to a smaller further reduction in size and bulk.
- 4.3.12 The most significant alteration to 18/01625/FP is the reduction in height and bulk of the main roofs of the dwellings. The maximum height proposed of 8.4m is closer to the heights of nearby buildings such as No. 3 Green Drift, The Maltings, 46 Kneeswoth Street, and the relatively new residential development Ostler Court to the south-west (including No. 1 which fronts onto Green Drift). The use of hipped side ends to the main roofs of each end dwelling would be consistent with the hipped roofs of the existing dwelling on the site, No. 3a Green Drift, and No. 46 Kneeswoth Street which extends partially along Green Drift.
- 4.3.13 Due to the reduction in height of the dwellings and the changes to the roof design of both end dwellings it is considered that the dwellings proposed are smaller in height, size and bulk than those previously refused under 18/01625/FP. The proposed dwellings are now considered comparable in height to nearby buildings and are considered compatible with the character and appearance of the street scene. The side hipped ends will further reduce the visual impacts of the dwellings in general and compared to the previously refused application. The current application retains the front first floor projections, however their roof pitches and heights have been reduced. The front dormer windows have also been omitted from the current scheme. The two rear dormer windows are considered to be of an acceptable design and would appear subordinate on the rear roof slopes of their respective dwellings and are acceptable.

4.3.14 The proposed dwellings are not now considered to be dominated by their roofs and front projections, with their roofs appearing more proportionate to the heights of the first and ground floors of the dwellings. Overall, taking the changes made into account, it is considered that the reason for refusal has been overcome as the proposed dwellings are of a height, size, bulk and design that are considered compatible with the character and appearance of the street scene. The size, siting, design and appearance of the proposed dwellings are therefore considered acceptable.

4.3.15 **Neighbour amenity**

- 4.3.16 The property to the rear is a car showroom, therefore as this is not a residential property no loss of amenity will be caused. The dwellings will be approximately a minimum of 17m from Malt House Place which is north-west and at an oblique angle, therefore it is not considered overbearing impacts, loss of light and loss of privacy would be caused to the residential properties in Malt House Place. The dwellings will be approximately 13.5m from No. 9 Green Drift which is considered a sufficient distance to avoid overbearing impacts and loss of light, while no loss of privacy will be caused as no openings are proposed facing No. 9.
- 4.3.17 The property that adjoins the east boundary of the site, No. 3a Green Drift, is part commercial and part residential. The residential element occupies the narrower part of the building behind No. 3 Green Drift. Given the location of this residential element relative to those of the proposed dwellings, it is not considered that the proposal would appear overbearing or cause loss of light, privacy and amenity to that property.
- 4.3.18 No. 3 Green Drift to the east is a detached dwelling. The proposed dwellings would be approximately 9.5m from the side of No. 3 and due to their location and the separation distance they would not be considered to appear overbearing or cause loss of light to the front and rear elevations and gardens of No. 3. No loss of privacy would be caused as no openings are proposed facing No. 3. No. 3 contains three side elevation openings two are on the ground floor and have their outlook restricted by a fence on the side party boundary, therefore it is not considered that the proposed dwellings would cause materially greater impacts than the existing situation. The other side opening is a first floor window which would experience a change to its outlook, however this window is obscure glazed therefore due to this and the distance to the proposed dwellings it is not considered the impacts would be unreasonable and harmful to the amenity of No. 3.
- 4.3.19 Regarding the objections received, the majority have been addressed elsewhere in this report. Impacts from construction can be managed by condition if permission was to be approved. Impacts on property values and water resources are not material planning considerations, and the proposal is of a size such that financial contributions towards other infrastructure are not required. A lamp-post outside the site may need to be relocated if permission was to be granted, which would need to be arranged with the utility owner and details could be agreed by condition. The telegraph poles are outside the site and it is not considered they would need to be relocated.

4.3.20 The proposed dwellings are in any case in a very similar location as those proposed for previous application 18/01625/FP, which was considered acceptable with regards to impacts on the amenity of nearby dwellings. As the dwellings now proposed have lower heights and hipped roof ends, they will have lesser impacts than those proposed previously. Overall I consider that the living conditions and amenity of existing residents would be acceptable.

4.3.21 Living conditions

- 4.3.22 The proposed dwellings would be considered to receive adequate outlook and light for their main habitable rooms and their private rear gardens. The rear gardens for the proposed dwellings would be of a sufficient size and quality to provide an acceptable area of amenity space.
- 4.3.23 The first floor south-east facing windows of the flats in Malt House Place face towards the westernmost proposed dwelling. There are four windows, two of which face primarily towards the rear wall of a building at the rear of the car showroom site and would not be considered to cause loss of privacy to the western dwelling. The middle left window serves a bathroom, therefore as this room is used infrequently it would not cause loss of privacy. The left window serves a bedroom and would be approximately 17m from the west dwelling, which is considered a sufficient distance to prevent loss of privacy to the occupiers of the dwellings. These conditions would also be comparable to those assessed as being acceptable in the determination of previous application 18/01625/FP. Future living conditions are considered acceptable.

4.3.24 Highway, access and parking considerations

- 4.3.25 The County Council highway authority has not objected to the proposed four new vehicular accesses that would be required to serve each proposed dwelling there are no reasons evident for officers to take a different view therefore impacts on the public highway are considered acceptable.
- 4.3.26 Two parking spaces would be provided for each dwelling. This provision would meet the minimum requirements of the Council's 2011 parking SPD and the parking requirements of the Submissions Local Plan. Each space would be 4.8m in length, which is considered sufficient to prevent cars from overhanging onto the pavement. Impacts on the public highway, the proposed vehicular accesses and parking provision is therefore considered acceptable.

4.3.27 Landscape and trees

4.3.28 The proposal would introduce more hard landscaping to the front of the site, however its visual impacts on the character of the locality would be reduced through the use of different materials and planting. The landscaping at the front of the site is considered to be of an acceptable quality, and further details of planting etc. would be required by condition if the application was to be approved. The amount of hard-standing at the front of each dwelling would be comparable to other nearby dwellings and is considered acceptable. There are no objections to the landscaping proposed at the rear of the site, which would provide an acceptable balance and quality of hard and soft landscaping. The loss of the front boundary wall and vegetation would not be considered detrimental as the wall is a small feature that makes a limited contribution to the character of the street scene, while the vegetation comprises small plants/shrubs that are not considered to be of such visual significance that they should be retained. In any case new planting is proposed at the front of the site.

- 4.3.29 A mature tree is in close proximity to the west boundary of the site and overhangs into the site. The tree is not protected by a Tree Preservation Order or by virtue of being in a Conservation Area. The construction of the western dwelling would require some lopping of the tree, and is considered likely to affect its roots. It was assessed in previous planning application 18/01625/FP that the potential for damage or loss of this tree could not be justified as a reason for refusal as it is not protected and was not specifically referred to by the Council's Landscape Officer as being worthy of being retained.
- 4.3.30 If planning permission was to be granted details of how the dwellings would affect the tree could be required by condition, in addition to requiring new planting which could compensate to some degree the loss of the tree. Impacts on trees and the quality of landscaping are therefore considered acceptable.

5.0 Conclusion

5.1 I consider that the proposed development would be compatible with the character and appearance of the locality, and has overcome the reason for refusal of application 18/01625/FP. Impacts on residential amenity and future living conditions are considered acceptable. No objections are raised by the highway authority in respect of traffic generation and there would be no adverse impact on the local highway network. Parking provision is considered sufficient and would comply with Council standards. The proposal is considered to provide hard and soft landscaping of an acceptable quality, and would not harm significant trees. The proposal would make more effective use of the land and assist, albeit to a modest extent, the supply of housing in the district. Overall, I consider that the proposals achieve sustainable development as required by the NPPF.

6.0 **Recommendation**

- 6.1 That planning permission be **GRANTED** subject to the following conditions and informatives:
 - 1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. 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.

3. Details and/or samples of materials to be used on all external elevations and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and the setting of the listed building.

4. Prior to the occupation of the approved dwellings the following landscape details to be submitted shall include the following:

a) which, if any, of the existing vegetation inside and adjoining the site is to be removed and which is to be retained

b) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting

c) the location and type of any new walls, fences or other means of enclosure and any hardscaping proposed

d) details of the cycle storage shed including elevations and external materials.

Landscaping shall be implemented in accordance with the approved details.

Reason: To ensure the submitted details are sufficiently comprehensive to enable proper consideration to be given to the appearance of the completed development.

- 5. C017 Landscape completion
- 6. No development shall commence until full details (in the form of scaled plans and written specifications) have been submitted and approved in writing by the Local Planning Authority to illustrate the following: Exact location of the vehicle crossovers (VXOs) / dropped kerbs required to access the proposed driveways. Each VXO would need to be a maximum width of 5.4m, which is made up of 4 flat kerbs and two ramped kerbs. A minimum of one full height kerb (0.9m) would be required between each VXO. Re-instatement of the footway and full height kerb at the existing accesses to the site this should be marked on a submitted plan.

Reason: In the interest of highway safety and traffic movement.

7. Access and Highway Works - Prior to the first occupation of the development hereby permitted the vehicular accesses and other necessary highway works shall be completed in accordance with the Hertfordshire County Council residential access construction specification. Prior to use arrangements 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: In the interest of highway safety and traffic movement.

8. Existing Access – Closure: Prior to the first occupation vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway shall be limited to the accesses shown on drawing number 03 only. Any other accesses or egresses shall be permanently closed, and the footway / kerb shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access.

Reason: In the interests of highway safety and amenity.

9. Provision of Visibility Splays –Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4 x 33 metres shall be provided to each side of each access where it meets the highway and such splays 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.

10. Construction Management - The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan and the approved details are to be implemented throughout the construction programme.

Reason: To minimise danger, obstruction and inconvenience to users of the highway.

11. Land contamination condition:

Planning Authority which includes:

(a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.
(b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local

(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
(ii) The results from the application of an appropriate risk assessment methodology.

(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

(d) This site shall not be occupied, or brought into use, until:

(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

(e) Any contamination, other than that reported by virtue of condition (a) and (b), encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site.

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters.

12. Prior to occupation, each of the four dwellings shall incorporate one Electric Vehicle (EV) ready domestic charging point.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Class B of Part 1 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.

Proactive Statement

Planning permission has been granted for this proposal. The Council acted proactively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. 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.

Informatives:

Highways Informative

General works within the highway - construction standards AN) Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into a minor Section 278 agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway. Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx or by telephoning 0300 1234047.

Environmental Protection Informative

EV Charging Point Specification:

Each charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.

Cable and circuitry ratings should be of adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco developments)

• A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed termination point within a garage or an accessible enclosed termination point for future connection to an external charge point.

• The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF).

• If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.

• A list of authorised installers (for the Government's Electric Vehicle Homecharge Scheme) can be found at https://www.gov.uk/government/organisations/office-for-low-emission-vehicles