

3/08/1761/OP –Demolition of 39 and 41 Haymeads Lane to provide access and residential development at land to the rear of 37-57 Haymeads Lane, Bishops Stortford for European Land Holdings Ltd.

Date of Receipt: 07.10.08

Type: Outline

Parish: BISHOPS STORTFORD

Ward: BISHOPS STORTFORD-ALL SAINTS

RECOMMENDATION

That,

- (A) subject to the applicant entering into a legal obligation pursuant to S106 of the Town and Country Planning Act 1990 to cover the following matters:-
- (a) A financial contribution of £625 per one bed units, £750 per two bed unit, £1125 per three bed units, and £1500 per four+ bed units index linked by SPON from July 2006, which shall be payable upon commencement of the development towards sustainable transport schemes and measures in the vicinity of the site.
 - (b) The provision of Primary Education, Secondary Education, Youth Services, Childcare Services and Library Services contributions, in accordance with the current HCC Contributions Table within the Planning Obligations Guidance-Toolkit for Hertfordshire.
 - (c) The provision of up to 40% affordable housing, the type and tenure of which (including the provision of homes to Lifetime Homes standard) is to be agreed with the Council and
 - (d) The provision of fire hydrants.
- (B) The Director of Neighbourhood Services be authorised to **GRANT** outline permission subject to the following conditions:
- 1. Outline permission time limit (1T03)
 - 2. Outline – submission of details (2E02)
Delete “*means of access*”
 - 3. Prior to commencement of the development, details of the internal site layout and all materials to be used for hard surfaced areas including roads, cycle ways, footpaths and car parking areas shall be submitted to and approved in writing by the local planning authority in consultation with the Highway Authority.

3/08/1761/OP

Reason: To ensure that all highway areas are built to adoptable standards

4. Wheel washing facilities (3V251)
5. Prior to the first occupation of the development, the access road to it and the parking spaces to the rear of 37 Haymeads Lane (as shown on the approved plan no; 1024/01A or any other arrangement that may otherwise be agreed in writing by the LPA) shall be constructed in accordance with that agreed plan or other arrangement and thereafter retained for those purposes.

Reason: To ensure that the access is constructed to Highway Authority specification in the interest of Highway safety and alternative parking provision is made for the dwelling at 37 Haymeads Lane.

6. Prior to the first use of the access to the site from Haymeads Lane, visibility splays of 2.4m X 43m shall be provided and permanently maintained in each direction within which there shall be no obstruction to visibility between 600mm and 2 m above the carriageway level.

Reason: To provide adequate visibility for drivers entering or leaving the site.

7. Prior to the commencement of the development, details of the closure of the existing vehicular access from Haymeads Lane to no 37 Haymeads Lane shall be submitted to and agreed in writing by the LPA. Those details to include details of the reinstatement of the front garden in place of the former access and parking/driveway areas. Once agreed, those details shall be thereafter implemented as such prior to the first use of the new access to the site from Haymeads Lane and thereafter retained.

Reason: In the interests of highway safety.

8. Approved access only (3V04)

Reason: In the interests of highway safety.

Directive

All work undertaken on the highway should be constructed to the Highway Authority's current specification, to an appropriate standard and by a contractor who is authorised to work in the public highway and in accordance with Hertfordshire County Council publication "Roads in Hertfordshire – A Guide for New Developments" before proceeding with the proposed development, the

3/08/1761/OP

applicant should contact the East Herts Highways Area Office (01992 526900) to obtain their permission and requirements.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review 2007), and in particular SD1, SD2, ENV1, IMP1, HSG1, HSG3, HSG4 and HSG7. The balance of the considerations having regard to those policies is that permission should be granted.

_____ (176108OP.NB)

1.0 Background

- 1.1 The application site is shown on the attached OS extract.
- 1.2 The site comprises of the entire plots at Nos. 39 and 41 Haymeads Lane and part of the rear and side of the site of No. 37 and the rear gardens of Nos. 43-57.
- 1.3 On the north east side of Haymeads Lane, the surrounding area comprises of a mix of relatively low density residential properties, with semi detached dwellings, and some detached. The cul-de-sac Haycroft comprises mostly detached dwellings. Adjacent to the site and southwest of Haymeads Lane is the new development of Cavell Drive.
- 1.4 The proposal is for outline permission for the demolition of the existing dwellings at Nos. 39 and 41 Haymeads Lane and the construction of an access to enable residential development. The application seeks the approval of the access to the site alone, with all other matters remaining reserved for consideration at a later date.
- 1.5 Members will recall that the application was deferred from the 17th December Development Control Committee meeting in order to allow Officers to consider amended plans that were received on the 16th December 2008. The amended site plan (1024/01A) shows a repositioned access, approximately 1.5metres south of the previous proposal, the curved footpath at the entrance of the site has been widened and 2 parking spaces are proposed to the rear of No.37 to compensate for the closure of the existing vehicular access to this property. The amended plans have been submitted in order to seek to overcome the objection received from County Highways.

3/08/1761/OP

- 1.6 The proposed access to the site would be off of Haymeads Lane, in the approximate position of No.39, which is proposed to be demolished along with No. 41.
- 1.7 Although the layout of the development remains as a reserved matter an indicative site plan has been submitted to show 13 dwellings that could form a cul-de-sac within the site. With regards to scale the Design and Access Statement that accompanies the application suggests that the dwellings would be 2 storeys with eaves heights of 4.8-5.4metres and ridge heights of 7.5-8metres.

2.0 Site History

- 2.1 There is no relevant planning history at this site.

3.0 Consultation Responses

- 3.1 County Highways have stated that following the Highway Authority's original comments amendments have been made to the site access to address the issues raised. The access proposals as revised in Dwg. No. 1024/01A Rev A are now acceptable. County Highway's previous objection related to insufficient visibility and the failure to provide a compensatory access at No37 Haymeads Lane.
- 3.2 The Council's Landscape Officer comments that the demolition of the dwellings will not have any impact on trees although impact on trees of future development to the rear of these properties is likely to be significant. Demolition without replacement in this location would have a significantly detrimental effect on the character, form, extent and structure of the remaining streetscape. In other words the loss of these two properties will have a negative impact upon the visual quality of the remaining structure and pattern of existing buildings and gardens along this stretch of Haymeads Lane.
- 3.3 The Environment Agency has no comments on the application.
- 3.4 The County Development Unit states that a site waste management plan is required for the development and that regard should be had to the policies within the Waste Local Plan 1999.
- 3.5 The County Planning Obligations Unit have requested financial contributions for primary education, secondary education, youth services, childcare services and library services.

3/08/1761/OP

- 3.6 Environmental Health have recommended conditions that relate to construction hours of working and bonfires
- 3.7 Thames Water comment that with regards to sewerage infrastructure they would not have any objection to the planning application. With regards to surface water drainage this is the responsibility of the developer.

4.0 Town Council Representations

- 4.1 Bishop's Stortford Town Council object to the proposal for the following reasons:
- Overdevelopment of the site and the area
 - Dangerous ingress and egress onto an already congested road
 - It is inappropriate to demolish two habitable dwellings

5.0 Other Representations

- 5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.

In addition one representation has been received which states that a number of people who reside in Haymeads Lane are not opposed to this development.

- 5.2 In relation to the proposals as they were first received, letters of objection were received from 12 neighbours and the 'Haymeads Lane Residents Association', the concerns raised are summarised as follows:
- Overdevelopment of the area and town cramming that would damage the character and amenity of the area
 - Loss of trees
 - Impact upon wildlife
 - Loss of gardens
 - Unnecessary demolition of existing dwellings
 - The development would be contrary to Policies ENV1 and HSG7 of the Local Plan
 - No demonstrable need for housing in this part of town
 - Increased traffic congestion onto Haymead Lane and Dunmow Road which is already grossly congested every day
 - Unsuitable access point close to roundabout, bus stop and a sharp bend in the road
 - Improvements are needed to the junction between Haymeads Lane and Dunmow Road
 - Traffic queues to the junction between Haymeads Lane and Dunmow

3/08/1761/OP

Road are calculated at 60 cars at peak time

- Extra burden upon infrastructure in and around Bishops Stortford as well as healthcare and schooling
- Overlooking of neighbouring properties and impact on amenity

5.3 Further consultation took place with neighbouring occupiers and the Town Council on the receipt of the revised access plans. The response confirmed the points of objection as set out above but added the further points;

- Development would add to existing water table problems
- Noise
- General impact on quality of life
- Proposals result in a complicated road layout
- Density of development proposed is greater than that surrounding
- No travel plan is proposed to promote sustainable modes of transport

5.4 The Bishop's Stortford Civic Federation has written in objection to the proposals at both stages of consultation setting out that:

- local plan policy seeks the retention of dwellings in good repair;
- that the proposals will have a harmful impact on character of the area and represent a form of cramming
- that with other developments in the area (former hospital site and the potential development of the Beldams Lane playing fields) infrastructure in the area will be unable to cope
- additional traffic will exacerbate existing highway problems in the area, the complex road layout and the difficulties at the Haymeads Lane/ Dunmow Road junction
- housing delivery figures no longer include development on unallocated sites (windfall sites) and therefore development here has no benefit in this respect

6.0 Policy

6.1 The relevant policies of the East Herts Local Plan Second Review (April 2007) are:

SD1	Making Development More Sustainable
IMP1	Planning Conditions and Obligations
SD2	Settlement Hierarchy
ENV1	Design and Environmental Quality

3/08/1761/OP

HSG1	Assessment of Sites not Allocated in this Plan
HSG3	Affordable Housing
HSG7	Replacement Dwellings and Infill Housing Development

7.0 Considerations

- 7.1 This application seeks permission for the access to the site and for residential development with all other matters remaining reserved. The considerations in this case are therefore the acceptability of the proposed access together with the principle of residential development at this site.
- 7.2 Although a site plan has been submitted with the application which shows 13No. dwellings forming a cul-de-sac on the site this is only for indicative purposes and therefore this should not be relied upon as an authoritative indication of the potential development of the site, were outline permission to be granted.
- 7.3 The site is located within the built up area of Bishops Stortford where in accordance with Policy SD2 residential development is acceptable in principle subject to compliance with the other relevant policies within the Local Plan.
- 7.4 The proposed development would result in development within the existing rear gardens of the dwellings in Haymeads Lane. Policy ENV1 expects all development proposals to demonstrate compatibility with the structure and layout of the surrounding area and to complement the existing pattern of street blocks, plots and buildings. Although the possible layout of the site is not confirmed at this stage, the principle of development occurring at this site and the impact that this would have upon the existing pattern of development can be assessed.
- 7.5 Despite the consistent arrangement of dwellings fronting onto much of Haymeads Lane, the pattern of development within the surrounding area as a whole is varied. There are several small, linear cul-de-sacs extending off of Highfield Avenue and Linkside Road to the south of Haymeads Lane, the new development to the west of the site at the former Herts and Essex hospital site forms a different pattern and there is the cul-de-sac Haycroft which extends off of Haymeads Lane and curves around up to the rear gardens of Nos. 35-43 Haymeads Lane to the west and Nos. 71a-79 to the south.
- 7.6 Due to the varied pattern of development within the surrounding area Officers do not consider that some form of development at this site would be unduly harmful to the character of the area. The principle of residential development is therefore considered to be acceptable at this site.

3/08/1761/OP

Notwithstanding this Officers do have some concerns relating the layout that is currently shown on the indicative plan. This cannot be addressed as part of the consideration of this application for outline permission, however Officers will, of course, seek to ensure that the most suitable form of development (in terms of density, scale and layout) does come forward if approval in principle is given now. It is considered that a satisfactory residential development of this site that would be sympathetic to the character of the surrounding area can be achieved.

- 7.7 The concerns raised by the Town Council and neighbours to both the original and amended plans have been considered. Many of the points raised relate to matters that would be considered at a later stage once an application to agree the reserved matters is submitted.
- 7.8 The site is outside of the Bishops Stortford Conservation Area and the existing dwellings (nos 39 and 41) are not considered to be of such merit to justify an objection to their demolition. The pre-amble to Policy HSG7 states that dwellings capable of economic repair should, in most cases, be retained in the interests of sustainability. The demolition of the dwellings would enable a residential development that would make a contribution towards housing need within the district and make more efficient use of land. Officers consider that the benefits of development would outweigh any harm caused by the demolition works in the promotion of sustainable development; this is consistent with other decisions made by the Council for the redevelopment of existing residential sites.
- 7.9 With regards to the proposed access to the site this has been assessed by County Highways and the revised proposal is deemed to be acceptable. Their previous objection that related to insufficient visibility and the failure to provide a compensatory access at No37 Haymeads Lane has now been overcome by the amended plans that have been submitted. The concerns raised by neighbours regarding the existing congestion along Haymeads Lane and the problems with the junction with Dunmow Road are noted. However, County Highways have not raised an objection to the development on these grounds.
- 7.10 Policy IMP1 states that as part of development schemes, developers will be required to make appropriate provision for such services. The applicant's agent has now provided confirmation that the applicant is willing to enter into an agreement to commit to the provision of 40% affordable housing, which is required due to the size of the site and the financial contributions that are requested by the County Council for highway and other matters which are set out at the head of this report.

8.0 Conclusion

- 8.1 The principle of residential development at this site is considered to be acceptable and accords with the aims of Policies SD2 and ENV1 of the Local Plan.
- 8.2 Based on the amended plan No. 1024/01A, the proposed access to the site is now considered to be acceptable and would no longer be to the detriment of highway safety.
- 8.3 Having regard to the above considerations it is recommended that planning permission is approved subject to the conditions at the head of this report.