

3/09/1277/FP

1. **3/09/1277/FP – Demolition of existing buildings and erection of 5 blocks comprising of 4 x 2 bed flats (including 1 wheelchair unit), 6 x 2 bed houses and 8 x 3 bed houses (including 1 wheelchair unit) together with access, parking and landscaping at 86 - 124, Plaw Hatch Close, Bishop's Stortford, CM23 5BJ for South Anglia Housing**
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Date of Receipt: 27.08.09

Type: Full – (Major).

Parish: BISHOP'S STORTFORD.

Ward: BISHOP'S STORTFORD - ALL SAINTS.

RECOMMENDATION

That, 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:

1. A financial contribution of £7,324 for Secondary education, £24,682 for Primary education, £3,942 for Nursery Education, £1,294 for childcare, £120 for youth and £426 towards libraries.
2. Fire hydrant provision.

planning permission be **GRANTED** subject to the following conditions:

1. Three Year Time Limit (1T121).
2. Materials of construction (2E113).
3. Construction hours of working (6N07).
4. Boundary Walls and Fences (2E07).
5. Hard surfacing (3V213).
6. Landscape Design Proposals (4P12).
7. Landscape works implementation (4P13).
8. Prior to the commencement of development details to include drawings of the proposed sheds shall be submitted to, and approved in writing by the Local Planning Authority and shall be carried out in accordance with the approved plans and specification.

Reason: In the interests of privacy and visual amenity, in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

9. Prior to the commencement of development, an intrusive investigation of the site, as recommended in item 8 of the Phase1 desk study, shall take place to determine if the land is contaminated and the details of any necessary remediation measures shall be agreed in writing by the Local Planning Authority. Any necessary remediation shall include measures to decontaminate the site (specifying actions and target levels relating to any contaminants found) and prevent pollution of groundwater and surface water. All details of any survey, assessment and proposed remediation works (complete with a timescale) pursuant to this condition shall be submitted to and agreed in writing by the Local Planning Authority and development shall only take place in accordance with the agreed details.

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with policy SD5 of the East Herts Local Plan Second Review April 2007.

Directives:

1. Public Sewer (22PS3).
2. Street Naming and Numbering (19SN4).

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, SD5, TR1, TR7, ENV1, ENV2, ENV25, IMP1, HSG3, HSG4, HSG6. The balance of the considerations having regard to those policies is that permission should be granted.

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1.0 Background

- 1.1 The application site is shown on the attached OS extract.
- 1.2 The site is situated within the built up area of Bishops Stortford.
- 1.3 The site is located within the south eastern part of Plaw Hatch Close and is currently occupied by 20 flats within 2No. four storey blocks and 32 garages within 4 garage blocks.

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- 1.4 The area immediately surrounding the application site comprises of residential properties to the north, east and west. The area immediately to the east was granted planning permission under delegated powers in 2007 for the demolition of existing garaging and the erection of 3 dwellings (Ipa reference 3/07/2036/FP). The site is adjoined to the south by Raynham Road Industrial Estate.
- 1.5 The proposed development is for the demolition of the existing flats and garages and the erection of 18 affordable dwelling houses. The application proposes a detached building (Block 1) which would accommodate 2 flats, in the north western corner of the site. Adjacent to Block 1 an access road is proposed which would open up into a parking area of 11 spaces and 1 car port. Adjoining the access road to the east would be two flats which would commence a terrace of 5 dwelling houses (Block 2) fronting north onto Plaw Hatch Close. To the south of the site a terrace of 3 houses (Block 5) is proposed to face east onto the access road. Opposite this terrace, facing west are 2 terraces comprising of 6 houses (Blocks 3 and 4). Parking spaces and 1 car port are proposed to the front of Blocks, 3, 4 and 5.
- 1.6 The application proposes a total of 26 parking spaces for the 18 dwellings. The Transport Statement that has been submitted as part of the application states that 18 of the 32 existing garages on the site are let to residents in Plaw Hatch Close with 7 let to people who live outside of Plaw Hatch Close and 7 are vacant.

2.0 Site History

- 2.1 There is no relevant history at this site.

3.0 Consultation Responses

- 3.1 The Council's Housing Development Manager has commented that the scheme represents 100% affordable housing, all of which it is understood is to be for rent. As a result the accommodation proposed will go some way to meet the need of the residents in the District. The mix and type of accommodation is in line with expressed need and the Housing Option team welcomes the opportunity to provide some wheelchair accommodation in this area.
- 3.2 The Council's Landscape Officer has recommended approval of the application and has commented that the site design and layout is fine and it is considered that this development will result in an improvement to the visual quality of this area as it incorporates amenity space

provision in the form of private gardens. There could be some improvements made to the plant species selection / soft landscape design, but this can be fairly easily resolved by way of an amended drawing. This is a reasonable development proposal and is not contentious in landscape terms

- 3.3 Environmental Health has recommended conditions to be included, should planning permission be granted, which relate to noise, air quality and contaminated land.
- 3.4 The County Planning Obligations Unit has requested financial contributions for primary education, secondary education, childcare services, library services and a fire hydrant.
- 3.5 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.
- 3.6 Hertfordshire Constabulary has commented that there are no specific police objections to this application; however outline some opportunities that are available to improve the security and safety of the site.
- 3.7 Thames Water have commented that it is the responsibility of the developer to make provision for surface water drainage and that approval from Thames Water is required for any building works taking place within 3 metres of the sewers that cross the site.
- 3.8 The Council's Democratic Services team have commented that the proposal would not affect any footpaths.

4.0 Town Council Representations

- 4.1 Bishop's Stortford Town Council have no objection to the proposal.

5.0 Other Representations

- 5.1 The application has been advertised by way of a press and site notice and neighbour notification.
- 5.2 1 letter from a local resident has been received which expresses concern regarding the loss of their garage and where they would park their car in the future.

6.0 Policy

6.1 The relevant Local Plan policies in this application include the following:

SD1 Making Development More Sustainable
SD2 Settlement Hierarchy
TR1 Traffic Reduction in New Developments
TR7 Car Parking Standards
ENV1 Design and Environmental Quality
ENV2 Landscaping
ENV25 Noise Sensitive Development
IMP1 Planning Conditions and Obligations
HSG3 Affordable Housing
HSG6 Lifetime Homes
HSG4 Affordable Housing Criteria

7.0 Considerations

7.1 The determining issue in relation to this application is whether the proposed development accords with the relevant policies contained within the development plan.

Principle of development

7.2 The site is located within the built up area of Bishop's 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.

7.3 The proposed development would result in the loss of 2 residential units. Despite this loss the Council's Housing Development Manager has confirmed that *the accommodation proposed will go some way to meet the need of the residents in the District*. Officers consider that the benefits that the proposal would bring with the introduction of higher quality family homes, each with a private garden area together with the improvements that the proposed development would have upon the appearance of the site would outweigh the harm caused by the loss of 2 units. The density of the proposed site would be 53 dwelling per hectare, this is an appropriate density for this site and the proposal makes efficient use of the land in accordance with the aims of PPS3.

Design

- 7.4 Policy ENV1 expects new proposals to complement the existing pattern of development within the area. Outside of the site, the pattern of development within Plaw Hatch Close comprises of semi-detached and terraced dwellings, with 3 blocks of flats to the north east of the site, all generally facing towards the highway albeit at varying positions. The proposed development would vary from the existing site layout and by creating a series of dwellings in Blocks 1 and 2 that front onto Plaw Hatch Close this would integrate the site better with the surrounding pattern of development.
- 7.5 The elevation plans of the proposed buildings show simplistic and sympathetic designs that would appear in keeping with the dwellings approved in 2007 on the land to the east of the site. The proposed dwellings are 2 storey, with some varying ridge heights to reflect the small variations in land levels at places on the site. It is proposed to use a mix of brick, shiplap boarding and render for the elevational treatment of the dwellings. The proposed mix of materials together with the proposed canopy porches, string coursing, brick lintels add interest to the proposed dwellings resulting in a good standard of design that would complement the appearance of the existing area.
- 7.6 The design and layout of the proposed development is considered to be acceptable and sympathetic to the character and appearance of the surrounding area. The replacement of the existing four storey blocks of flats with 2 storey dwellings would considerably improve the appearance of the site.

Impact on neighbour amenity

- 7.7 In terms of the potential impact upon the amenities of existing neighbouring occupiers, generally this would improve due to the replacement of the 4 storey blocks with 2 storey dwellings. The significant reduction in building heights would reduce the potential overlooking into neighbouring properties and improve their outlook. Although the residential development would be within closer proximity to Nos. 82-84 to the west of the site, the siting, height and design of the proposed dwellings would ensure that the relationship with these dwellings would be satisfactory and would not give rise to any unacceptable impacts upon the amenities of these neighbouring occupiers.
- 7.8 The proposed dwellings would have good sized private garden areas

which would improve the level of private amenity space on the site. The relationship between Block 4 and the new dwellings granted permission in 2007 to the east of the site may allow some potential overlooking from the proposed dwelling into the rear gardens of these new dwellings and in turn the new dwellings would impact upon the outlook from the rear of the proposed dwellings. However, the distance of 10 metres from the rear of the proposed dwellings and the side boundary of the newly constructed dwellings, together with proposed and existing landscaping and the orientation of the properties would ensure that the impact upon the amenities of all occupiers is not unacceptable.

- 7.9 The dwellings within Block 5 and in particular Plot 10 would be sited within close proximity of the industrial units to the south of the site in Raynham Road Industrial estate. Members will recall that in April 2009 planning permission was granted by the Development Control Committee for replacement industrial units within the part of the industrial estate that adjoins the boundary of the current application site. The approved replacement units have an increased height to the existing buildings; however the orientation of Block 5 would result in the flank of Plot 10 and its rear garden running parallel with this boundary of the site. This orientation, together with the distance to the industrial buildings and the existing landscape buffer along the boundary would ensure that the proposed dwellings would have a satisfactory level of amenity in terms of outlook and privacy. In terms of noise disturbance to the future occupiers, Environmental Health have not raised any concerns with regards to this matter and Officers therefore do not consider the relationship between the proposed dwellings and the adjacent industrial estate to be unacceptable or unprecedented.
- 7.10 In accordance with Policy ENV1 the proposed development would not have an unacceptable impact upon the amenities is existing and future occupiers of both neighbouring dwellings and the proposed dwellings themselves.

Parking

- 7.11 The application proposes 26 parking spaces for the 18 dwellings. Based on the number of bedrooms within the proposed dwellings, the maximum parking standards as recommended within Appendix II of the Local Plan equates to 33 spaces. It is considered that the number of parking spaces proposed would represent an acceptable level of provision for this site. The level of parking provided also allows for some landscaping in-between the parking spaces along the frontages of Blocks 3, 4 and 5 which breaks up the amount of hard standing to the

front of the dwellings improving the appearance of the development and the outlook from these properties.

- 7.12 The Transport Statement that has been submitted as part of the application states that 18 of the 32 garages to be demolished at the site are let to residents and 7 of which to people who live outside of the site and 7 are vacant. The Transport Statement suggests that the 7 garages let to people off of the site are likely to be used by commuters or for storage purposes and are therefore unlikely to result in the displacement of many vehicles into the surrounding area. Of the 18 that are let to residents of Plaw Hatch Close the statement predicts that half of these would belong to the residents of the existing flats. It is estimated that around a third of the 9 garages that are likely to be used by residents of Plaw Hatch Close that do not reside in the flats within the application site, would be more likely to be used for storage purposes than for housing vehicles. This calculation results in the estimation that approximately 3 vehicles of residents in Plaw Hatch Close would be displaced as a result of the loss of the existing garages.
- 7.13 There is no evidence to contradict the findings within the Transport study. The letter received by 1 local resident concerning the loss of their parking space within a garage has been noted. However, Officers do not consider that the potential displacement of a small number of parking spaces within the garages would be of sufficient harm to the surrounding area to refuse planning permission in this instance. Furthermore, the applicant has indicated that they intend to offer void garages elsewhere on the estate to those who are displaced by the redevelopment. In accordance with Policy TR7 and the maximum parking standards outlined within Appendix II of the Local Plan the level of parking proposed at the site is considered to be acceptable.
- 7.14 Despite the reduction in the number of residential units that the proposed development would bring, the County Planning Obligations Unit has requested financial contributions for primary education, secondary education, childcare services and library services. These contributions are required due to the change in the size and type of dwellings at the site with an increased provision of family homes being provided. Officers consider these requests to be both reasonable and necessary. The agent has confirmed that the applicant is willing to enter into a Section 106 agreement to commit to the obligations that have been requested by the County Council.

8.0 Conclusion

- 8.1 The proposed development forms an appropriate development within the built up area of Bishop's Stortford. The resulting development would improve the existing appearance of the site as well as the quality of accommodation and level of amenity to the occupiers of the dwellings.
- 8.2 In accordance with Policy ENV1, the proposed development is of an appropriate design and layout and would not have an unacceptable impact upon the amenities of existing and future residents.
- 8.3 In accordance with Policy TR7 and Appendix II, the level of parking that would remain at the site is acceptable in order to accommodate the needs of the proposed dwellings and it is considered that the likely number of other spaces that would be displaced by the loss of the existing garages would not be of any significant harm to highway safety within the surrounding area.
- 8.4 Having regard to all of the above considerations it is recommended that planning permission is approved subject to a Section 106 agreement and the conditions outlined at the head of this report.