

2. **3/09/1774/FP - Demolition of existing buildings and construction of part two/three storey buildings to provide 55 affordable rented designated older persons/flexi care flats, associated communal facilities, 18 car parking spaces (incorporating 4 disabled spaces), mini bus space and associated landscaping at Calton House, Calton Avenue, Hertford, SG14 2ES for Riversmead Housing Association.**
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**Date of Receipt:** 04.11.2009

**Type:** Full - Major

**Parish:** HERTFORD

**Ward:** HERTFORD - SELE

### **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. To pay a financial contribution of £1,868 towards library facilities;
2. To pay a financial contribution of £15,750 towards sustainable transport initiatives;
3. To provide fire hydrants;
4. To restrict the occupation of the units to sheltered affordable housing for those over the age of 55;
5. To construct the units to a Code for Sustainable Homes Level 3.

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

1. Three Year Time Limit (1T12)
2. Boundary walls & fences (2E07)
3. Materials of construction (2E11)
4. Details of facilities to be provided for the storage and removal of refuse from the site, including elevation drawings and materials of construction, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The facilities shall be provided in accordance with the approved details prior to the first occupation of the development.

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

5. Lighting details (2E27)
6. Wheel washing facilities (3V25)
7. Tree retention and protection (4P05)
8. Hedge retention and protection (4P06)
9. Landscape design proposals (4P12 e,i,j,k,l)
10. Landscape works implementation (4P13)
11. Construction hours of working- plant & machinery (6N07)
12. The flat roof areas at second floor level adjacent to residential properties to the west of the site shall not be used as amenity space.

Reason: To protect the amenities of neighbouring residents in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

13. Prior to first occupation of the development, all access and junction arrangements serving the development shall be completed in accordance with the approved plans and to the satisfaction of the Local Planning Authority.

Reason: To ensure the provision of appropriate access to the development in the interests of highway safety.

14. The development hereby permitted shall not be occupied until the pedestrian crossing over Windsor Drive, as indicated on approved drawing 0716wd2.40, has been completed in accordance with details to be submitted and approved in writing by the Local Planning Authority.

Reason: To ensure the provision of a safe and convenient pedestrian linkage from the development to nearby shops in the interests of highway safety.

15. Prior to the first occupation of the development hereby permitted, the existing vehicular access, not incorporated in the access hereby approved, shall be permanently closed and the kerb and footway reinstated to the satisfaction of the Local Planning Authority.

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Reason: In the interests of highway safety and amenity.

16. The presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the Local Planning Authority and a scheme for mitigation shall be agreed in writing.

Reason: To ensure adequate protection of human health, the environment and water courses in accordance with policies SD5 and ENV20 of the East Herts Local Plan Second Review April 2007.

#### Directives

1. Other Legislation (01OL)
2. Planning Obligation (08PO)
3. Public Rights of Way (18FD)
4. Street Naming and Numbering (19SN)
5. The applicant is advised that it will be necessary for the developer to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access works and pedestrian crossing. The applicant is advised to contact the Eastern Herts Highways Area Office, Hertford House, Meadway Corporate Centre, Rutherford Close, Stevenage SG1 3HL (Telephone 01438 757880) to obtain the requirements on the procedure to enter into the necessary agreement with the highway authority prior to commencement of development.
6. The applicant is advised that breeding birds, their nests and eggs are protected under the Wildlife and Countryside Act 1981, and that site clearance should not be carried out between 1<sup>st</sup> March and 31<sup>st</sup> August unless the site is searched beforehand by a suitably qualified ornithologist.

#### Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular SD2, SD5, HSG1, HSG3, HSG4, HSG6, TR1, TR2, TR7, TR14, ENV1, ENV2, ENV4, ENV10, ENV11 and ENV20. The balance of the considerations having regard to those policies is that permission should be granted.

## **1.0 Background**

- 1.1 The application site is shown on the attached OS extract and has a site area of 0.45 hectares. It currently comprises Calton House and Calton Court; a complex of two storey and single storey flat roofed sheltered older persons accommodation dating from the 1970s. There are currently 33 units on site, with 1 separate 3 bed house used for a resident staff member. The site is owned and managed by Riversmead Housing Association.
- 1.2 The site lies towards the west of Hertford, on the edge of the Sele Farm estate comprising predominantly residential properties of two and three storeys high. There is a parade of shops located to the east at Fleming Crescent, and The Golden Griffin is located to the south east of the site. The Sele School is located on the other side of the road to the south, with Hollybush Junior School further east. The site is bordered by Welwyn Road (B1000) to the south, Windsor Drive to the east and Calton Avenue to the north. To the west of the site are larger detached two storey residential dwellings.
- 1.3 This application proposes to replace the existing buildings on site with a new sheltered housing development of 55 units in two main buildings with a central link (27 no. 1 bed and 28 no. 2 bed units). The buildings will be predominantly three storeys high with some two storey sections. The application also includes associated communal facilities, car parking and landscaping. Communal facilities will include the provision of a dining room with servery and kitchen, laundry, common room with bar, health and beauty and activities rooms, internet room, guest suite, meeting rooms, communal lounge, quiet room and treatment room.
- 1.4 It is proposed to undertake the re-development in two phases. Phase 1 will see the demolition of Calton Court and construction of the southern and central blocks (27 units and communal areas). Phase 2 will then comprise the demolition of Calton House to the north of the site, and construction of the new northern block (the remaining 28 units). This allows existing residents to be satisfactorily re-housed during the construction period.

## **2.0 Site History**

- 2.1 There is no planning history relevant to this application.

### **3.0 Consultation Responses**

- 3.1 County Highways do not wish to restrict the grant of permission subject to conditions and the payment of a financial contribution of £15,750 for sustainable transport measures. They note that the proportion of parking spaces is marginally reduced from existing; however they are content that any reduction in parking will not impact on the function of the strategic highway network and as such do not intend to raise this as an issue. The site is well located in terms of access to public transport and with the provision of the crossing on Windsor Drive, convenient for the shops and facilities at the Fleming Crescent precinct.
- 3.2 Highways also note that the internal layout is acceptable, and the rationalisation of the existing access, in particular the removal of the additional access onto Calton Avenue, will increase the capacity of the existing parking bays within the highway. Turning to S106 requirements, they note that the development will result in a net increase in 21 2 bed units and they consider that it is not unreasonable for the development to make a financial contribution towards the promotion of sustainable transport measures. This includes accessibility improvements for passenger transport provision and publicity, improvements to bus infrastructure, other schemes to encourage passenger transport use, and other transport schemes arising from the forthcoming Hertford and Ware Urban Transport Plan. As such, a financial contribution of £15,750 is appropriate in this instance.
- 3.3 Hertfordshire Biological Records Centre advise that the site is not identified as having any ecological designation, nor does it support any priority/protected species. However they recommend that site clearance, including building demolition and tree and hedgerow removal should only be conducted outside the bird breeding season (1<sup>st</sup> March to end of August) in order to protect breeding birds.
- 3.4 The Herts and Middlesex Wildlife Trusts recommend that mitigation measures to prevent disturbance to breeding birds is attached as a planning condition. Conditions for local planting, bat boxes, bird boxes, green roofs and water saving measures and Code for Sustainable Homes are also recommended.
- 3.5 Natural England welcome the submission of the ecological survey and recommend that we consult our in-house ecologist with regards to the results of the survey and whether further survey information is required.
- 3.6 Herts County Council seek a financial contribution of £1,868 towards

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libraries. They advise that as the application is for category 2 sheltered housing development, financial contributions are not sought towards education, youth or childcare. Herts County Council also seek fire hydrant provision.

- 3.7 Environmental Health raise no objection subject to conditions on construction hours of working, dust and asbestos, and to bring any significant unsuspected contamination to the attention of the Local Planning Authority. They advise that the submitted Report on a Site Investigation is acceptable.
- 3.8 Thames Water advise that surface water drainage is the responsibility of the developer and it is recommended that the storm flows are attenuated or regulated into the receiving public network through on or off site storage. Thames Water also advise that they have no objection with regards to sewerage infrastructure.
- 3.9 The Council's Engineers confirm that the drainage systems will make use of connections to existing surface water sewers. They advise that the redevelopment would increase the net area of porous paving and this may therefore reduce the nominal flood risk for the location and adjacent areas. They also recommend that the site makes use of Sustainable Urban Drainage Systems (SUDs); these could be in the form of harvesting rainwater butts linked to down pipes or more extensive systems like swales and retention ponds.

#### **4.0 Town Council Representations**

- 4.1 Hertford Town Council welcomed the application. They state that the design fits in with the surroundings and neighbouring gym and school. It breaks up the existing block outlook with the existing flats, and provides a modern statement at the entrance to the Sele Farm estate. There were, however, concerns that the condition of the proposed timber cladding, if not treated appropriately and regularly, will deteriorate and mar the appearance of the site.

#### **5.0 Other Representations**

- 5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.
- 5.2 No letters of representation have been received.

## **6.0 Policy**

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

SD2	Settlement Hierarchy
SD5	Development on Contaminated Land
HSG1	Assessment of Sites not Allocated in this Plan
HSG3	Affordable Housing
HSG4	Affordable Housing Criteria
HSG6	Lifetime Homes
TR1	Traffic Reduction in New Developments
TR2	Access to New Developments
TR7	Car Parking – Standards
TR14	Cycling – Facilities Provision
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV4	Access for Disabled People
ENV10	Planting New Trees
ENV11	Protection of Existing Hedgerows and Trees
ENV20	Groundwater Protection

In addition to the above it is considered that Planning Policy Statement 1, (Delivering Sustainable Development), and Planning Policy Statement 3 (Housing) are considerations within this application.

## **7.0 Considerations**

### **Principle of Development**

7.1 The site lies in the built-up area of Herford wherein residential developments are acceptable in principle. The site is currently occupied by sheltered housing units, and it is proposed to remain in this use. The proposal will therefore not result in the loss of any existing sheltered housing. The existing buildings will be demolished to enable this re-development; these buildings are of a 1970s flat roof design of little architectural merit.

### **Scale and Design**

7.2 The development has been designed as two main three storey blocks (reducing to two storey adjacent to neighbouring properties to the west), with a three storey central circular link building. The main blocks will accommodate the residential units, whilst the communal facilities will be provided in the central link building, connected to the main blocks by predominantly glazed links.

- 7.3 The scale and design of the development has emerged following pre-application discussions with Officers. The bulk of the three storey blocks has been reduced by staggering the elevations and providing visual breaks. The use of a mix of materials, including white render, brickwork and timber cladding, and the provision of glazed balconies, will also serve to provide interest in the elevations. The buildings have been set back from Windsor Drive from earlier submissions, and therefore provide a well-landscaped buffer of at least 5m to the road. This respects the building line of the rest of the street. The central circular block will be set back approximately 10m from the street.
- 7.4 Overall, it is my Officer view that the scale and design of the development will improve the appearance of the site and integrate well with the surrounding area. A number of buildings within the vicinity of the site are three storeys in height, and therefore the provision of a predominantly three storey development would not appear prominent or out of character. The new development will also provide interesting corner features to the road junctions of Windsor Drive and Welwyn Road, and Windsor Drive and Calton Avenue.
- 7.5 Communal garden areas will be provided within the centre of the site, and along the southern boundary with picnic tables, benches and BBQ facilities. Additional gardens to the northern and eastern boundaries will be private for the ground floor units. Each unit on the first and second floor will have a private balcony, whilst those on the ground floor will have a private patio or garden area. Overall, whilst it is noted that the majority of the site will be built upon, it is my Officer view that sufficient amenity space will be available for use by the residents.
- 7.6 Refuse facilities will be provided within purpose built stores located at the western end of each block, and will therefore be easily accessible from the access road. No details of the bin store buildings have been submitted, and are therefore required by way of condition.

### **Density and Layout**

- 7.7 The scheme proposes a total of 55 units on an area of 0.45 hectares, representing a density of approximately 122 dwellings per hectare (dph). This is a high density in relation to the surrounding area, which is characterised by between 20dph (detached dwellings to the west) to 49dph (terraces to the north) and 70dph (three storey blocks of flats to the east). The existing density of the site is approximately 77dph. However, it is important to consider the type of development proposed, and the scale and



layout of the development to assess whether this high density is acceptable in this location.

- 7.8 The application is for sheltered housing units for those over the age of 55, and it is common for this type of use to be of a higher density than free-market dwellings. Each unit would be self-contained comprising a bedroom, bathroom, kitchen and lounge/diner whilst some larger units have an option for a future second bedroom. The overall size of these units is considered to be acceptable and will provide for an adequate standard of amenity.
- 7.9 The scale and layout of the proposal is also considered to be acceptable with regards to the character and appearance of the surrounding area, as discussed above. It is therefore your Officer's view that the proposed density can be achieved in this case without compromising the character of the area, or the quality of the scheme. However, the density and layout of this development would not be suitable for a free-market housing scheme. As such it is necessary for the development to be restricted to use solely as a sheltered housing scheme for those over the age of 55.

### **Neighbour Amenity**

- 7.10 In terms of impact on neighbours, the development has been reduced in height to two storeys adjacent to residential dwellings at No. 7 Elizabeth Close and No. 34 Calton Avenue. A distance of at least 8m will remain between buildings, and no overbearing or loss of outlook would occur. Further, only hallway and a few kitchen windows are proposed in the first floor flank elevations of the new buildings, from which harmful overlooking is not considered to arise. However, large flat roof areas are proposed at second floor level, which would have the potential for overlooking. A condition to restrict access to these flat roof areas is therefore recommended.

### **Trees and Landscaping**

- 7.11 A full tree survey has been undertaken and submitted as part of this application. This identifies that 6 no. trees will be removed as part of this re-development, all of which have been graded as 'low quality and condition'. These trees are not protected in any way, and none are of any significant amenity value to warrant future protection. The proposed planting scheme makes provision for the planting of 15 new trees around the parking area, which will enhance the appearance of the site. Existing mature hedgerows along the southern and western boundary will remain.
- 7.12 An indicative planting scheme has been submitted which includes soft planting areas along road frontages and around the buildings. The overall

result is considered to be acceptable, and will enhance the streetscene. No written response has yet been received from the Council's Landscape Officer; however he has indicated his verbal satisfaction to the principle of the planting scheme.

**Parking and Access**

- 7.13 The main vehicular access to the parking area will use an existing access to the northwest of the site, off Calton Avenue. This is the existing arrangement, and it is not considered that the proposed re-development will intensify the use of this access so as to unduly impact on highway safety or residential amenity of the neighbour at No. 34 Calton Avenue. A turning head will be provided to allow for refuse collection and other service vehicles. A second access will be created off Windsor Drive to the east of the site to provide frontage parking space for a mini-bus and disabled parking.
- 7.14 In total, 18 no. car parking spaces will be provided on site. Whilst it is acknowledged that this is a low provision (the maximum provision for this type of use would be 28-55 spaces), it is not considered that this is unacceptable given the location of the site, and the existing level of parking provision. It is noted that only 7 of the existing occupants have access to a car. The site is also well served by local bus routes (311, 395 and 396) which stop in front of the site. Further, a mini-bus service will be provided for the benefit of future residents. This reduced parking provision is another reason for the use of the site to be restricted solely as a sheltered housing scheme.
- 7.15 Cycle parking is also proposed, with 8 no. secure spaces to be provided in a separate building to the rear of the car parking area, and 6 no. spaces available for staff and visitors to the front of the building. Whilst this falls some way short of the adopted Cycle Parking Standards (18 short-term spaces would be required, along with 11 long-term spaces), it is not considered that the application should be refused on these grounds. Should Members consider that additional cycle parking would be required to make the development acceptable, then this could be achieved by way of a condition.
- 7.16 A new pedestrian crossing is also proposed as part of this application to cross Windsor Drive to the Fleming Crescent shops. This will improve access and safety for pedestrians, and future residents in Windsor Drive, and is encouraged by Highways. A condition is recommended to require this to be complete prior to first occupation of the development.
- 7.17 Finally, it is noted that a public footpath currently runs through the site and

this is proposed to remain in situ. The footpath will run underneath the glazed link that connects the southern block to the central block. Apparently this was diverted from its original route (adjacent to the western boundary of the site) during development of the existing site in the 1970s. The footpath has since remained in this position, but does not appear to be regularly used by the general public. No comment has been received from the County Council Rights of Way Officer.

### **Energy Efficiency and Renewable Energy**

- 7.18 Policy ENG1 of the East of England Plan requires 10% of all major developments to derive their energy from decentralised low carbon and renewable sources. In this case an Energy Strategy has been prepared by Sustain and submitted as part of this application. This report explores several energy systems and recommends that the best total site heat and power option for Calton House is a single gas fired Combined Heat and Power (CHP) system. Although this relies on the use of fossil fuels, this is a far more efficient system than providing individual boiler systems.
- 7.19 The Energy Strategy also recommends solar thermal and/or solar photovoltaic (PV) as supplementary technologies. The report estimates that the CHP system would provide approximately 60% of the site's total energy requirement, whilst solar thermal and solar PV systems would provide for a further 21% and 3% respectively. These figures exceed the 10% requirement of policy ENG1 of the East of England Plan.
- 7.20 Finally, it is proposed to construct the development to a Code for Sustainable Homes Level 3, which is a requirement of the funding for affordable housing. This has therefore been suggested for inclusion within the unilateral undertaking which has already been drafted.

### **Biodiversity**

- 7.21 A Phase 1 Habitat Survey has been submitted with the application. This concludes that the site is unlikely to support any important habitats or species. A similar conclusion has been reached by the Herts Biological Records Centre and the Herts and Middlesex Wildlife Trusts who raise no objection subject to a condition to protect breeding birds during demolition and construction. Given that breeding birds are protected by separate wildlife legislation, it is not considered reasonable or necessary to include this as a condition; a directive is recommended instead.

## **8.0 Conclusion**

- 8.1 Overall, it is considered that the proposed re-development will provide a

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high quality standard of accommodation for the elderly, and will improve the current appearance of the site and surrounding area. The development is considered to be well-designed and will integrate well with its surroundings.

- 8.2 The application is therefore recommended for approval subject to a legal obligation, and the conditions set out above.