

A 3/09/1370/FP – Erection of 17 dwellings including 6 affordable units, new road junction, landscaping and associated works at land south of Gravelly Lane, Braughing for Landro Ltd.

Date of Receipt: 17.09.2009

Type: Full – Major

Parish: BRAUGHING

Ward: BRAUGHING

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:-

- A financial contribution of £18,875 towards Sustainable Transport Programs and £13,000 towards public transport infrastructure improvements;
- A financial contribution of £34,919 towards Middle Tier Education, £28,343 towards Upper Tier Education, £2,405 towards Childcare, £832 Youth and £2,926 towards Libraries;
- A financial contribution of £2,529 towards recreation facilities for children and young people;
- 6 Affordable dwellings;
- 15% lifetime homes;
- Fire hydrant;
- A detailed management scheme for the future maintenance of the proposed retention basin.

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

1. Three Year Time Limit (1T121)
2. Samples of Materials (2E12)
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. Tree retention and protection (4P053)

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9. Hedge retention and protection (4P063)
10. Levels (2E051)
11. New Doors and Windows - unlisted buildings (2E342)
12. Wheel washing facilities (3V251)
13. Construction parking and storage (3V221)
14. Programme of archaeological work (2E023)
15. Prior to the commencement of the development details of the junction between the proposed estate road and the highway shall be submitted to and approved in writing by the Local Planning Authority, and no building shall be occupied until that junction has been constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.

16. Prior to the first occupation of the dwellings hereby permitted, visibility splays of 4.5m x 70m shall be provided each side of the means of access to the site from Green End and within which there shall be no obstruction to visibility.

Reason: In the interests of Highway safety

17. Prior to the commencement of the development hereby permitted detailed plans and sections of the proposed roads including gradients and method of surface water disposal shall be submitted to in writing and approved by the Local Planning Authority, and no building shall be occupied until the section of road which provides access thereto has been constructed (apart from final surfacing) in accordance with the approved details.

Reason: To ensure that the proposed road works are constructed to an adequate standard.

18. No dwelling shall be occupied until the existing footway along the entire B1368 frontage of the site has been widened to 1.8m in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement.

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19. Existing access closure (3V051)
20. Prior to the commencement of the development hereby approved, details of construction vehicle movements and construction access arrangements shall be submitted to and approved in writing by the Local Planning Authority, and all construction vehicle movements shall accord with the agreed details.

Reason: To ensure the impact of construction vehicles on the local road network is minimised.

21. Protection of bats (2E41)
22. Prior to the commencement of any works on the site and at an appropriate time of the year a survey of reptile activity, including details for their protection and any necessary mitigation measures shall be undertaken by a suitable specialist. This shall be submitted to and approved in writing by the Local Planning Authority and any subsequent mitigation shall be undertaken in accordance with the findings of this survey.

Reason: To protect the habitats of species which are a protected under the Wildlife and Access to the Countryside Act 1981, and in accordance with policy ENV16 of the East Herts Local Plan Second Review April 2007.

23. Prior to the commencement of the development, surface water drainage works shall be carried out in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding, and in accordance with Policy ENV21 of the East Hertfordshire Local Plan Second review April 2007.

24. Prior to the commencement of the development, surface water source control measures shall be carried out in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding and to improve water quality in accordance with Policies ENV18 and ENV19 fo the East Herts Local Plan Second Review April 2007.

25. Prior to the commencement of the development hereby permitted details of cost effective energy efficiency measures to be carried out to the dwellings shall be submitted to and approved in writing by the Local Planning Authority. The approved Energy Efficiency measures shall be implemented during the construction of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: These measures are required to mitigate the use of energy resulting from the development and in accordance with Policies SD1 and SD3 of the East Herts Local Plan Second Review April 2007.

Directives

1. The applicant is advised that that work undertaken on the highway must be constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the public highway. All works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication "Roads in Hertfordshire - A Guide for New Developments". Before proceeding with the proposed development, the applicant should contact the East Herts Highways Area Office (01992 526900) to obtain their permission and requirements.
2. The applicant is advised that if it is the intention to request the Hertfordshire County Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the East Herts Highways Area Office, The Rotunda, Hertford. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
3. 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, SD3, SD4, OSV1, OSV4, TR1, TR7, TR8, ENV1, ENV2, ENV18, ENV21, BH1, BH2, BH3, BH6, BH12, IMP1, HSG1, HSG3, HSG4, HSG6, HSG7 and LRC3. The balance of the considerations having regard to those policies and the amendments made to the proposed development following the refusal of application reference 3/08/0763/FP and the appeal decision is that permission should be granted.

1.0 Background

- 1.1 The application site is shown on the attached OS extract.
- 1.2 The site comprises a plot of undeveloped land measuring 0.98 ha in area, located at the corner of Green End (B1386) and Gravelly Lane. The land levels at the site fall from west to east.
- 1.3 The site is bounded by established tree and hedge lines along the B1386 and Gravelly Lane, and within the site there a number of small groups of trees. In addition there is a group of trees located in the North West corner of the site and 2 large individual trees located in the southern part of the site.
- 1.4 The application seeks permission for the construction of 17 dwellings and would also include a new road junction with Green End. A total of 6 out of the 17 dwellings are proposed to be affordable. The mix of dwellings proposed are 2No. 1 bedroom flats, 2No. 2 bedroom flats, 1 No. 2 bedroom dwelling house, 1 No. 3 bedroom dwelling house, 6 No. 3 bedroom dwelling houses, 2 No. 4 bedroom dwelling houses and 3 No. 5 bedroom dwelling houses.
- 1.5 When first received, this application previously proposed 15 dwellings, 2 of which would have been affordable, comprising of 2 bedroom dwelling houses. As indicated the development has increased to 17 units overall, 6 of which are affordable.
- 1.6 The plans originally submitted with the application have been amended to reflect the changes to the housing numbers and mix and in addition the opportunity has been taken to make the following changes to the detailed design of the development:
 - The buildings at Plots 1-6 (previously 1-4) have been extended to the rear and side to enable an increase in numbers. The ridge height of these buildings has been reduced and chimney stacks introduced, with revised fenestration layout;
 - The layout of Plots 7 and 8 (previously 5 and 6) have been reversed, with the 2 storey bay projection reduced to single storey on Plot 8 and the dormer windows have been changed to regular windows;
 - An additional window at first floor has been added to Plot 9 (previously 7);

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- Plot 10 (previously 8) has been reduced in size from a 5 to a 4 bedroom dwelling and has been re-orientated and set back from the boundaries with the B1368 and Plot 9. Changes have been made to the fenestration and the rear projecting gable end has been reduced;
- The gable end elevation to Plot 14 (previously plot 12) has been amended to add interest to this elevation, chimneys have been added and the fenestration changed.

- 1.7 The development comprises of a mix of detached, semi-detached and terraced dwelling houses and 4 flats. The proposed development would provide a mix of accommodation of 1, 2, 3, 4 and 5 bedroom units
- 1.8 The development proposes 35 car parking spaces, which includes both off road parking spaces and garages. An area of land to the eastern boundary of the site is proposed to remain as an undeveloped open space with a foot link between the site and Gravelly Lane. This area accommodates a sustainable drainage feature.

2.0 Site History

- 2.1 The site has been subject to a previous planning application for a new dwelling (ref:3/98/1370/FP) which was refused as it was contrary to the now superseded Rural Area Policy RA3 of the East Herts Local Plan, 1999.
- 2.2 A submission for 26 dwellings was made under planning reference number 3/07/2039/FP, in September 2007, which was later withdrawn by the applicant.
- 2.3 A subsequent application was submitted for 30 dwellings at the site, under planning reference number 3/08/0763/FP, which was refused planning permission at the 2nd July 2008 Development Control Committee meeting for the following reasons:
1. The proposed development by reason of its layout, form and scale is of a poor standard of design, unsympathetic to the context of the site and fails to take the opportunities available for improving the character and quality of the area. The proposal is thereby contrary to policy ENV1 of the East Herts Local Plan Second Review April 2007 and national planning guidance in PPS1 "Delivering Sustainable Development" para 34.
 2. The proposal fails to pay due regard to the wider context and setting of the site in the Conservation Area to the detriment of the distinctive character and appearance of this historic village, and the setting of the

adjacent listed buildings. As a result, the proposals would fail to either enhance or preserve the character of the Conservation Area contrary to Policy BH6 of the East Herts Local Plan Second Review April 2007.

This application was dismissed at appeal in November 2008. The Inspector's decision letter is attached as an appendix of this report.

3.0 Consultation Responses

3.1 Thames Water have commented that there are public sewers crossing this site, and no building works will be permitted within 3 metres of the sewers without Thames Water's approval.

3.2 The County Development Unit has commented in relation to the need for waste minimisation and has suggested that these issues can be addressed by condition if permission is granted.

3.3 The Campaign to Protect Rural England have commented that whilst they are pleased to see that this application addresses most of the issues raised by the inspectors decision letter on the previous proposal they remain concern by two aspects of the proposal:

1. Whilst the number of units has been reduced the overall development footprint has only been reduced by 38%. As a result despite the reduction in unit numbers the overall development still does not reflect the "comparatively low intensity" required by the Inspector.
2. The 13% affordable housing allocation is significantly short of the expectation of Policy HSG3 for up to 40% and should be increased to at least 35% in accordance with Policy H2 of the Regional Spatial Strategy.

3.4 The County Planning Obligations Unit has requested financial contributions of £34,919 towards Middle Tier Education, £28,343 towards Upper Tier Education, £2,405 towards Childcare, £832 Youth and £2,926 towards Libraries and fire hydrant provision.

3.5 Hertfordshire Biological Records Centre confirms that the site provides a suitable habitat for bats, birds, and reptiles and recommends that further surveys are carried out subject to conditions attached to any grant of planning permission.

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- 3.6 The Hertfordshire Constabulary encourage that further discussions take place in relation to crime prevention methods and comment that parking areas and the landscaped area to the north east corner of the site would benefit from natural surveillance.
- 3.7 The County Historic Environment Unit has recommended a condition to require further archaeological investigations to occur prior to the commencement of any works.
- 3.8 The Councils Engineers have commented that the developer has shown that a retention basin type Sustainable Drainage System (SUDs) to be constructed to mitigate drainage surcharging and flooding events. The developer initially suggested that this feature be maintained by the residents. This has been discussed with the developers' representative and explained that EHDC engineers could adopt this feature as described within the Planning Obligations SPD (local plan policy IMP1 and ENV21).
- 3.9 County Highways do not wish to restrict the grant of permission subject to conditions and a financial contribution towards sustainable transport programmes public transport infrastructure improvements. As with the higher density development schemes the principle of residential development is acceptable in a highways context, however the need for the pedestrian links onto Green End are questioned.
- 3.10 The Environment Agency have no objections to the development.
- 3.11 Environmental Health have advised that should planning permission be granted that this is subject to a condition to restrict the hours of operation of plant and machinery required for the demolition, site preparation and construction works.
- 3.12 The Council's Conservation Officer has recommended approval of the application. Previous concerns raised regarding the presentation of the development within Green End have now been addressed with the introduction of varying roofscapes, chimneys and more traditional doors and windows. The continuation of 'cottages' within the site close to existing development in Green End forms a good relationship with the uncomplicated architectural features such as doors and windows of the existing built form. This is gradually reduced in its scale and mass with the introduction of open spaces as you move further from the urban form of the village, all of which address the built character of Green End and the wider character of Braughing. In considering the architectural style within the development this further picks up on key features within the built form of Braughing, such as external chimney stacks to gable ends and interest in roofscapes.

Its spatial layout although not traditional in terms of small groups of buildings fronting the highway, it does reflect a layout found in Braughing amongst the 'modern' dwellings within the village, which are set back from the highway and separated by larger open spaces, very similar to those found on the opposite site fronting Gravelly Lane.

In considering the proposed architectural style and layout found in this application, it is more reflective of Braughing's character than previous schemes and as such it is considered to make a positive contribution, which will be further enhanced by the retention of the existing vegetation along the boundaries, as this will soften and assist the new development to settle into its surrounds.

In summary, the success of this project relies on the quality of materials used, as the design and presentation is considered to make a positive contribution to the character of Braughing's Conservation Area.

- 3.13 The Councils Housing Development Manager has taken part in negotiations with the applicant in order to seek an improved affordable housing provision at the site and has confirmed that the affordable housing provision proposed 1 x 3 bed house 1 x 2 bed house 2 x 2 bed flats 2 x 1 bed flats is acceptable. With regards to the tenure mix 5 of the units should be for rent and one of the 1 bedroom flats for intermediate housing.

4.0 Town/Parish Council Representations

- 4.1 Members should note that all representations made by the Parish Council and the local residents have been made based upon the original plans that were submitted and do not take into account the increase in the proposed number of dwellings that has occurred in order to provide additional affordable housing and the changes made to the design of the development. All interested parties have been consulted on the revised plans and any additional representations made will be reported verbally to the Development Control Committee meeting.
- 4.2 Braughing Parish Council objects to the proposal for reasons that can be summarised as follows:-
- Notwithstanding the reduction in the number of proposed dwellings, and cosmetic and superficial changes, the grounds for refusal of the previous application remains valid;
 - The development is of an inappropriate scale, height, proportion, siting and design that would result in a dominant form of development;
 - The proposal fails to preserve or enhance the Conservation Area;

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- Lack of recreation facilities;
- The site is not allocated for housing in the Local Plan and the development is not required in Braughing;
- The existing site forms an open space that makes a positive contribution to the character and appearance of the conservation Area and the form and setting of the village;
- The proposal would be detrimental to the amenities of the adjoining area;
- Important views and vistas would be blocked;
- Precedent of ribbon development;
- A total of 70 dwellings have been granted planning permission in Braughing since 1991;
- Policy HSG1 expects the availability of previously developed sites such as Pentlows Farm to be considered and accessibility of the site by modes of transport other than a car;
- Flood risk;
- Loss of a potential site for badgers, birds, bats and reptiles;
- A low impact agri-business would be preferred;
- Additional vehicles will strain the already saturated roadways;
- Dangerous access;
- Additional pressures upon the sewerage disposal plant;
- Precedent that would be set in the village;
- Disturbance likely to be caused to the roots of the large chestnut tree to the south east side of the site;
- The pedestrian link to Gravelly Lane is dangerous;
- Affordable housing provision is insufficient and smaller and in a less desirable location to the other proposed dwellings;
- The proposed 5 bedroom dwellings are of an excessive and unnecessary size;
- Light pollution;
- Sustainable development systems should be a necessity and achieving code level 4;
- Should planning permission be granted provision should be made for the enhancement of Braughing community facilities and infrastructure as a means of compensation.

5.0 Other Representations

- 5.1 The application has been advertised by way of a press notice, site notice and neighbour notification.
- 5.2 39 letters of representation have been received which includes a representation from the Braughing Society which can be summarised as follows:-

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- The site should be retained as open space and not developed;
- Ribbon development that contravenes the Braughing Parish Design Statement;
- Dangerous access;
- Increased traffic volume;
- No need for development in this area;
- Need for smaller homes;
- Overdevelopment;
- Out of keeping with the Conservation Area;
- Little in common with the established pattern of development and the appearance of the surrounding area;
- Construction vehicles in the village;
- Permission has already been granted for development at Pentlows Farm;
- Insufficient car parking spaces;
- Out of keeping with the village;
- Limited public transport and amenities in the village;
- Conflicts with aims of the East of England Plan to locate development so as to reduce the need to travel due to the distance from the site to employment, shops and the infrequent public transport;
- Development on open space would set a precedent;
- Additional pressure on drainage system;
- Impact upon wildlife;
- Greenfield site of archaeological significance;
- Inspectors concerns have not been overcome;
- Self contained estate;
- Noise pollution;
- Overlooking;
- Overbearing;
- Important views and vistas would be blocked;
- Flood risk;
- Some letters received note that improvements have been made to the proposal and one letter expresses a 'general support for the proposal' together with other general concerns;
- A management scheme for the pond should be required;
- Waste disposal concerns;
- Parking areas close to boundary with No. 44 Green End;
- Pressures on local schools which lack capacity;
- The development would set a precedent;
- Roof lines out of proportion with adjacent Listed Buildings;
- Removal of hedgerow
- Inappropriate materials

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5.3 As outlined earlier in this report, any further representations that are received on the amended plans will be reported verbally at the Committee meeting.

6.0 Policy

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

- SD1 Making Development More Sustainable
- SD2 Settlement Hierarchy
- SD3 Renewable Energy
- SD4 Sustainable Development and Nature Conservation
- OSV1 Development within Category 1 Villages
- OSV4 Housing Allocations- Category 1 Villages
- TR1 Traffic Reduction in New Developments
- TR7 Car Parking Standards
- TR8 Car Parking-Accessibility Contributions
- ENV1 Design & Environmental Quality
- ENV2 Landscaping
- ENV18 Water Environment
- ENV21 Surface Water Drainage
- BH1 Archaeology and New Development
- BH2 Archaeological Evaluations and Assessments
- BH3 Archaeological Conditions and Agreements
- BH6 New Developments in Conservation Areas
- BH12 Development Affecting the Setting of a Listed Building
- IMP1 Planning Conditions & Obligations.
- HSG1 Assessment of unallocated sites
- HSG3 Affordable Housing
- HSG4 Affordable Housing Criteria
- HSG6 Lifetime Homes
- HSG7 Replacement Dwelling and Infill Housing Development

7.0 Considerations

7.1 The considerations for this application are whether the proposed development complies with the relevant Local Plan Policies and whether the previous reason for refusal, for the application made in 2008, and the concerns that the Inspector raised within the appeal decision have been overcome.

Principle of Residential Development

- 7.2 The site is located within the Category 1 Village of Braughing wherein Policy OSV1 of the adopted Local Plan states that limited infill housing development may be permitted subject to specific criteria including the provision of up to 40% affordable housing; the proposal not being significantly detrimental to neighbour amenity; and the housing being appropriately designed and well integrated within the surrounding area.
- 7.3 The reasons for refusal issued for the previous proposal at this site for 30 dwellings related to the poor design and the development would have failed to either enhance or preserve the character of the Conservation Area. The Inspector supported the Council's decision with regards to these matters and in addition felt that 30 dwellings was an inappropriate density for this site. The Council did not refuse the previous proposal on the basis of the principle of the development. Whilst the Inspector commented that the site makes a positive contribution to the character and appearance of the Conservation Area, he felt that the benefits of the previous proposals could still be achieved by development compatible with the area's established character. This indicates that he did not discount it in principle.
- 7.4 The concerns raised by Braughing Parish Council and local residents in regard to the suitability of the site for development, the need for development and the strain that the development would have upon local services and infrastructure have been noted. However, as outlined above, the site falls within the Category 1 Village of Braughing which was identified with the Local Plan Review as an area suitable for small scale housing development. Officers acknowledge that the proposed development would have an impact upon the surrounding area. However, having consideration for the site's status within a Category 1 Village, the degree of this impact, given an appropriately designed scheme, is not felt to be sufficiently detrimental to the area to refuse planning permission.

Density

- 7.5 The Local Plan encourages housing development which makes more efficient use of land (between 30 and 50 dwellings per hectare). PPS3 identifies 30 dwelling per hectare as a national indicative minimum density to guide policy making and decision-making. PPS3 states 'Where local planning authorities wish to plan for, or agree to, densities below this minimum, this will need to be justified'.

- 7.6 Policy OSV1 allows for limited small-scale and infill housing development within Category 1 Villages such as Braughing. Guidance is given within the Local Plan that limited small-scale development would typically comprise of sites of up to 15 dwellings, occasionally somewhat more, but rarely more than 30 dwellings. The Planning Inspector's decision stated that *'I cannot reconcile a proposal of 30 dwellings on a site exceeding one hectare with the concept of small scale housing or infill development, of the kind indicated by policy OSV1'*. The Inspector did not however, give an indication as to what he would consider to be a more appropriate density at the site.
- 7.7 In response to the Inspector's decision and feedback from local residents the applicant decided to reduce the density by 50% by initially proposing 15 dwellings at the site. This has been the subject of considerable discussion with your Officers who have remained concerned that development at this density does not make efficient use of the land. However, this has been balanced against the impact on the character of the village and, with the slight increase now to 17 dwellings, to secure additional affordable housing, this is considered to present an acceptable compromise.
- 7.8 As indicated then, this scheme represents a meaningful reduction in density from the previous proposal of 30 dwellings which is necessary in order to overcome the Inspector's concerns and in order to create a high quality design and layout for the site that would not be detrimental to the character of the village. The current proposal for 17 dwellings equates to a density of 16.7 dwellings per hectare. On balance Officers consider that the reduced housing density to that which Policy would normally require is justified due to the significantly improved design and layout of the site that reflects the low density character of the surrounding developments, that this low density has enabled to occur. This proposal is now considered to comprise a very well balanced development providing housing across the range from 1-5 bedroom dwellings which clearly meets the aspirations of the Council in terms of social mix and inclusion in new developments.

Layout, Form, Scale and Design

- 7.9 The Council's decision on the previous application stated that the proposed development was of a poor standard of design by reason of its layout, form and scale. The Inspector commented that the proposed layout *'has little in common with the established pattern of development in Braughing'* and that the development would be *'visually and architecturally incompatible with its surroundings'*.

- 7.10 The current proposal has significantly improved since the previously refused scheme. The reduced density has allowed a more informal layout to occur. The resulting development is more spacious with generous plot sizes, greater distances between buildings and larger areas for landscaping. The large areas of hard surfacing proposed for car parking in the previous scheme have been removed, the proposed building blocks have been reduced and fragmented, the quality of the detailed design of the buildings has been improved and some design features that were proposed within the previous scheme that were somewhat alien to the local area have been removed. The statements submitted in support of the application explain that specific characteristics of surrounding properties have been incorporated into the design of proposed dwelling which includes steeply pitched roofs finished with a mixture of plain clay tiles and pan tiles and a selection of render, white painted horizontal timber boarding and facing brick work, small bay windows, chimney stacks, open timber frame entrance porches and a mixture of casement and rise and fall sash timber windows with either brickwork arches/stone lintels.
- 7.11 The existing development that surrounds the site consists of a higher density to the south, where the site is adjoined by terraces of dwellings that front Green End and low density development to the north and east of the site forming detached dwellings on large plots. This transition in house types, plot sizes and density is reflected by the development proposal with a terrace of dwellings commencing to the south west corner of the site, following the existing terraces that front Green End, with the development evolving into semi-detached dwellings and detached dwellings on larger plots as it approaches the north and eastern parts of the site. This form of development reflects and merges the surrounding density and development pattern.
- 7.12 The proposed street scene that would front onto Green End is considered by Officers to be the most visually sensitive part of the development as this forms an introduction to the development and seeks to integrate it into the character of the surrounding area. Furthermore, the development that commences at the south western corner of the site is adjacent to the Grade 2 listed terraces of dwellings, Nos. 44-36 Green End and it is therefore important that this part of the development is not detrimental to the setting of these Listed Buildings.
- 7.13 The Inspector's decision was supportive of the development that was proposed on the Green End frontage with the previous application and stated that this was '*not dissimilar from existing frontage development to the south*'. Notwithstanding this support, the current proposal shows significant improvements to the design of the dwellings that form this frontage. Plots 1-9 now all front onto Green End, where as on the previous scheme the two

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plots that were sited on the corner of the access from Green End faced inwards with the side gable end elevation addressing Green End. The current proposal is for a terrace of dwellings to the south of the access and a pair of semi-detached dwellings to the north of the access. The previous proposal for the plots known as 1-8, formed two matching terraces sited either side of the access off Green End. The current proposal creates two different forms of development either side of the access which adds far greater interest to this important frontage and results in a more informal appearance which would allow the development to appear more integrated into the surrounding area.

- 7.14 Important changes have also been made to the more detailed design of the buildings that front onto Green End such as the use of fenestration that would appear more traditional in terms of its design, proportions and positioning, the introduction of chimneys which appear as more prominent and interesting features to the dwellings and the use of steeply pitched roofs. Plot 9 on the current proposal replaces what would have been a building to accommodate 4No. 1 bedroom flats on the previously refused proposal. The previous building proposed here appeared somewhat bland and despite some traditional detailing added to the design would have appeared as a standard contemporary building that would have added nothing to the character of the Green End street scene. The current proposal is for a detached dwelling, with improved fenestration, a chimney and an overall more traditional design. Plot 10 is now proposed to be sited at a distance of 22 metres from the boundary of the site with Green End as such would not have a significant if any impact upon this street scene.
- 7.15 Officers consider that the current proposal offers a significantly improved design for the frontage of Green End which would allow the development to appear as a more integrated part of the village. The Green End frontage of the proposed development now preserves the historic character of the surrounding Conservation Area.
- 7.16 The more central parts of the proposed development have not only been improved by the more spacious and informal layout but also by the detailed design of the proposed buildings. The design of all of the proposed dwellings have improved and now appear more traditional and in keeping with the character and appearance of the village. This has been achieved by the removal of some of the features that were proposed on the previous scheme that were not derived from buildings within the local area and by introducing features that are more typical of the area. The proposed fenestration is more traditional in terms its design, proportions and positioning upon the dwellings, chimneys have been added with protruding chimney stacks which add interest to the dwellings and the use of steeply pitched roofs.

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- 7.17 In accordance with Policies BH6 and BH12, Officers consider that the current proposal would make a positive contribution to the Conservation Area, preserving its character and appearance and would not detract from the setting of the nearby Listed Buildings.
- 7.18 The amended proposal has resulted in an increase to the width of Plots 1-4, which takes the proposed buildings closer to the boundary with the neighbouring property, No. 44 Green End. However, a space of 4 metres would be retained from the front of the proposed building to the boundary with this neighbouring property, which would increase to 7 metres from the rear of the proposed buildings at ground floor and 11 metres at 1st floor. The proposed 1st floor window on the southern flank of the Plots 1 and 2, is larger in size than that shown on the original plans, however this window would face the flank of No. 44 Green End and as such would not result in any direct overlooking. The other windows that are proposed on the southern facing flanks of the building would be set back approximately 9.5-11 metres from the boundary with this neighbour, one of which is a high level window and the other serves a stairwell. The siting of the proposed windows together with the distances that would be maintained to the boundary of the site and the landscaping along this boundary is sufficient to ensure that the proposed development would not be of any significant harm to the amenities of the neighbouring occupiers.

Affordable Housing

- 7.19 Following amendments, the development now proposes 6 affordable units which would comprise of 2No. 1 bedroom flats, 2No. 2 bedroom flats, 1 No. 2 bedroom dwelling house and 1No. 3 bedroom dwelling house. The Councils Housing Development Manager considers that the proposed provision of affordable housing is acceptable.
- 7.20 The proposal initially (with 2 affordable units) represented the provision of 13% affordable dwellings. Discussions with Officers concerning the financial details and provision have now ensured that 6 affordable units and a total of 17 dwellings are provided. This represents a provision of 35.3% affordable dwellings. Whilst this is below the normal requirement of 40% Officers are of the view that this represents a reasonable compromise between maximising development on the site and continuing to ensure that the affordable housing provision remains viable.

Sustainability

- 7.21 Policy SD1 requires all proposals on sites of 0.5 hectares or more to be accompanied by a statement to explain how the development will create healthy, socially integrated communities; encourage sustainable movement

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patterns; achieve sustainable use of resources; be physically well integrated and respond to local character and distinctiveness; protect and enhance the natural and built environment, and create a flourishing and healthy local economy.

- 7.22 A number of measures are proposed in the Design and Access Statement, including achieving code level 3 sustainability, increased insulation to the walls, floor and roof, heat recovery ventilation systems, solar panels, rain water harvesting and grey water recycling. A condition is recommended to ensure that the measures outlined within the sustainability statement are carried out, which Officers consider to be both necessary and reasonable in order to mitigate the use of energy that would occur from constructing the development.

Open Space

- 7.23 Policy LRC3 requires new development to provide adequate and appropriately located open space, sport and recreation facilities, in line with the standards outlined in Appendix IV of the Local Plan. The scheme makes no specific provision for children and young people. An area of open space is provided on the site, however the possibility of this being used for children's facilities is limited due to the drainage facility and existing trees. The Parish Council has suggested that, if planning permission is granted provision should be made to enhance existing facilities. Whilst no specific deficiency is identified the Planning Obligations SPD justifies the request to a financial contribution to be made towards a provision of this nature.

Highways and Parking

- 7.24 County Highways have stated that the proposal is acceptable from a highways perspective, and are satisfied with the principle of a single vehicle access onto B1368. Conditions are recommended that deal with the visibility at the junction and the construction of the new access. Officers recognise the concerns of local residents in respect of the potential danger to users of the highway; however, having regards to the comments by County Highways, Officers have no reason to doubt that the development is acceptable from a highways perspective. It should also be noted that the Inspector did not raise any concerns in this respect in relation to the 2008 planning application.
- 7.25 With regards to parking, the scheme proposes 35 spaces. The maximum number that could be required under the adopted standards in Appendix II of the Local Plan is 35. A parking provision to the maximum recommended standards may encourage car use, which would be in conflict with Policy SD1, and Government guidance in PPS1 and PPS3, which seeks to reduce

car use in the interests of sustainability. However, this is a village location where provision of other modes of more sustainable transport to the car are more limited, and therefore in this instance the level of parking proposed is considered to be acceptable.

Other Matters

7.26 In considering the current proposal Officers have had due regard to the representations made by the Parish Council and local residents. Many of the issues raised have been considered with the previous application made at the site and it was concluded by both the Council and the Inspector that the only outstanding issue related to the density, layout, form, scale and design of the development and the impact that it would have upon the character and appearance of the Conservation Area. Officers consider that the scheme now submitted represents a considerable improvement over the previous proposals such that a refusal is now unjustified.

8.0 Conclusion

8.1 Having regard to the representations made by consultees and local residents, Officers consider that the details submitted for the proposed development of 17 dwellings are acceptable. The proposed development accords with the relevant Policies of the Local Plan and has fully overcome both the Councils previous reasons for refusal and the concerns raised by the Inspector at the appeal.

8.2 Officers consider that the low density that is proposed in this instance is justified due to the significantly improved design and layout of the site that this low density has enabled to occur and due to the character and relatively low density of the surrounding area.

8.3 Having regard to the above considerations, it is recommended that planning permission is approved subject to a S106 agreement and the conditions at the head of this report.