

3/09/1286/FP

2. **3/09/1286/FP - Construction of a Community Building and ancillary car park and external works at Land adjacent to 42 Hoddesdon Road, Stanstead Abbots for Councillor Nigel Copping**

Date of Receipt: 17.08.09

Type: Full - (Minor)

Parish: STANSTEAD ST MARGARETS

Ward: STANSTEAD ABBOTTS

RECOMMENDATION

That subject to the earlier S106 being amended to cover the following matters:-

1. To amend the definition of "Community Building" in paragraph 1.1 to read:

"Community Building" means a building housing a parish hall to be used for community and recreational purposes respectively with associated car parking all as located on the land shown edged brown on the Plan.

2. To amend paragraph 1.1 of Schedule 2 to require that the owner of the land will construct and complete, or procure the construction and completion of the Community Building within 12 months of the date of this decision.

The Director of Neighbourhood Services be authorised to **GRANT** planning permission subject to the following conditions:-

1. Three year time limit (1T12)
2. Samples of materials (2E12)
3. Refuse disposal facilities (2E24)
4. Lighting details (2E27)
5. New Doors and Windows- unlisted buildings (2E34)
6. Sight lines (3V08 – 2.0m x 2.0m)
7. Before first occupation of the approved development all access and

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parking arrangements serving the development shall be completed in accordance with drawing 0714PA1C and constructed to the specification of the Highway Authority and Local Planning Authority.

Reason: In order to secure the provision of a suitable access and parking arrangement in the interests of highway safety and convenience.

8. Cycle Parking Facilities (2E29 – policy TR13 only)
9. Tree retention and protection (4P05)
10. Landscape design proposals (4P12 – a,b,c,d,e,l,j,k)
11. Landscape works implementation (4P13)
12. Landscape maintenance (4P17)
13. Hours of working - plant and machinery (6N05)
14. Finished floor levels shall be set no lower than 29.3 Above Ordnance Datum (AOD).

Reason: To reduce the risk of flooding to the proposed development and future occupants.

15. Prior to the commencement of development, details of proposed solar panels and ground source heat pumps shall be submitted to and approved in writing by the Local Planning Authority.

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

Directives:

1. Other legislation
2. The applicant should contact the East Herts Highways Area Office (01992 526900) to obtain the Highway Authority's permission and requirements for work undertaken on the public highway.

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 policies SD2, TR2, TR7, TR13, ENV1, ENV2, ENV4, ENV19, BH1, BH6, BH12 and IMP1. The balance of the considerations having regard to those policies is that permission should be granted.

_____ (128609FP.HS)

1.0 Background

- 1.1 The application site is shown on the attached OS extract. It comprises a vacant plot of land at the entrance to the new Sanville Gardens residential development along Hoddesdon Road, Stanstead Abbots. The site was previously granted permission for a doctor's surgery and community building under application 3/04/1892/FP.
- 1.2 The surrounding area is predominantly residential with Victorian detached and terraced two storey dwellings to the south, 1970s semi-detached two storey dwellings to the north, and a new residential development up to three storeys high to the rear. The site lies within the Stanstead Abbots Conservation Area, with a number of Grade II listed buildings opposite, and the Grade II* St. Margaret's Church to the northwest.

2.0 Site History

- 2.1 The site was a former nursery, consisting of a range of greenhouses. Permission was granted for the demolition of these greenhouses in 2003 under reference 3/03/1228/LC, and permission granted for a residential redevelopment of 87 no. dwellings in 2004 under reference 3/04/1892/FP. Previous applications for 104 no. dwellings on a larger development site were withdrawn (3/00/0819/FP and 3/03/1227/FP), and a later application for a revised scheme for 87 no. dwellings was also withdrawn following objections from the Environment Agency (3/07/0175/FP). The site is therefore being redeveloped in accordance with the 2004 permission.
- 2.2 The 2004 permission included the construction of a two storey community building comprising doctor's surgery and parish hall, and the signed S106 Agreement required that this building be constructed and completed within 24 months of works commencing on site. Works

commenced on site in early 2007 and as such the 24 months deadline has passed in conflict with the signed legal agreement.

- 2.3 However, since permission was granted, the Primary Care Trust (PCT) have advised that they no longer have a requirement for a doctor's surgery in this location. The applicant therefore proceeded to re-consider the design and provide a reduced size community building. This application is the result of extensive Officer discussion, particularly with the Conservation Officer.

3.0 Consultation Responses

- 3.1 The Environment Agency advises that the proposed development will only be acceptable if a condition is imposed to require that finished floor levels are set no lower than 29.3 Above Ordnance Datum (AOD). The applicant's agent has since emailed to confirm that they have no objection to this as the existing site levels range from 29.99 to 30.26m AOD.
- 3.2 County Highways do not wish to restrict the grant of permission subject to conditions that visibility splays of 2.0m x 2.0m be provided and maintained, to complete the access and parking arrangements prior to first occupation of the development, for details of hard surfacing, and to require all space for construction parking and storage to be provided within the application site.
- 3.3 They comment that the provision of 19 parking spaces is below East Herts Parking Standards, but it would be difficult to justify a refusal considering the principle of a Parish Hall and Doctor's Surgery has been accepted in former consultations. Trip generation is likely to occur outside peak hours. Contributions have already been made towards Traffic Regulation Orders within the estate road and along Hoddesdon Road to prevent commuter parking. The site is also accessible in terms of bus provision.
- 3.4 County Archaeology advise that the application site is within an area from which considerable evidence of past settlement and occupation, from the Mesolithic and Neolithic (early prehistoric) periods onward, is known. In 2003 immediately adjacent areas at Sanville Gardens were evaluated via trial trenching, and archaeological remains of prehistoric and medieval date were located and excavated. In addition, environmental samples taken from deep peat layers were carbon-14 dated and found to date broadly to the Neolithic period (3990-3300 B.C.). However, the site of the proposed village hall appears to have been

previously occupied by buildings, and the application refers to an intention to 'raise a large part of the site by about 1.5 metres'. Given this, the Officer advises that the proposal is unlikely to have an impact upon significant archaeological deposits, structures or features.

- 3.5 The Council's Landscape Officer recommends consent subject to conditions on landscape design proposals, tree planting and landscape maintenance. He advises that there will be no significant impact on existing trees. He considers that the landscape frontage to the site appears to be featureless, and the car park area needs to be refined in landscape/design terms. He advises that there is a poor interface between the car park and building, and an element of soft landscape provision against the eastern elevation of the proposed building can only improve the setting for the building and better integrate the building and car park. The car park layout will more easily connect visually to the building if it is realigned to a common geometry rather than its layout deferring to the asymmetric line of the site boundary. A landscape and external works scheme with materials specification and planting plans is essential in order to be able to envisage the appearance of the finished development.
- 3.6 At the time of writing, no response has been received from the Council's Conservation Officer.

4.0 Parish Council Representations

- 4.1 Stanstead St. Margaret's Parish Council advise that their only objection is the store room attached to the hall, with a flat roof, as this does not give a good overall appearance to the building.

5.0 Other Representations

- 5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.
- 5.2 1 no. letter of representation has been received querying publicity of the application and access to view the submitted drawings, to which Officers have responded.

6.0 Policy

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

SD2 Settlement Hierarchy

TR2	Access to New Development
TR7	Car Parking – Standards
TR13	Cycling – Facilities Provision (Non-Residential)
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV4	Access for Disabled People
ENV19	Development in Areas Liable to Flood
BH1	Archaeology and New Development
BH6	New Developments in Conservation Areas
BH12	Development Affecting the Setting of a Listed Building
IMP1	Planning Conditions and Obligations

6.2 In addition to the above it is considered that Planning Policy Statement 1, (Delivering Sustainable Development), Planning Policy Guidance 15 (Planning and the Historic Environment), Planning Policy Guidance 16 (Archaeology and Planning), and Planning Policy Statement 25 (Development and Flood Risk) are considerations within this application.

7.0 Considerations

Principle of Development

- 7.1 The site lies within the built-up area of Stanstead Abbots wherein new developments are acceptable in principle. The main issues in this case relate to the impact of the building in the street, the character and appearance of the Stanstead Abbots Conservation Area, and the setting of nearby listed buildings. Parking, access, landscaping proposals, and potential impacts on neighbouring amenity are also material planning considerations.
- 7.2 Confirmation has been received from the PCT that they no longer require a doctor's surgery in this location; hence the proposal has been reduced to a single storey community building only. The applicant has been advised that the original S106 Agreement must be amended accordingly.

Layout, Scale & Design

- 7.3 The building has been re-designed from the approved two storey building, to a single storey structure with interconnecting hipped roofs and staggered ridge heights. The overall maximum height has been reduced by only 0.8m from the approved scheme, but the eaves have been lowered by 1.6m to be at single storey level. The previously approved scheme involved a full two storey structure with a corner clock tower to accommodate a lift shaft. This tower is no longer required. The overall development is considered to be less visually intrusive in the street than the former scheme.

- 7.4 The building has also been re-sited to respect the existing building line of Hoddesdon Road, whereas the previously approved building was set forward by approximately 3m. The side element is also set back from the front elevation to give some definition to the principal elevation. Space has also been provided for a landscaped buffer to the side of the building along Sanville Gardens, with a landscaped parking area to the rear of the building.
- 7.5 The building has been designed in discussion with Officers, with particular input from the former Conservation Officer. During pre-application discussions, the building was originally proposed to face the new development and parking area; however Officers requested that the building be re-orientated to face Hoddesdon Road to better integrate with the surrounding Conservation Area and wider community. This also provides for better pedestrian links from Hoddesdon Road, rather than providing a car dominant layout. The entrance has also been re-positioned to provide a corner canopy feature.
- 7.6 The result is a building that is considered to be of a high quality design that is in-keeping with the scale and design of development in the surrounding area. The form of the building has evolved to respect the surrounding area, with hipped roofs to reflect No. 42, but with a side gable to reflect St. Margaret's Church. A bay window has also been included in the front elevation to provide visual interest. A roof lantern is proposed above the main ridge, but this is essential to provide ventilation to the hall, and provides interest to the roofscape.
- 7.7 Overall, therefore Officers are satisfied that pre-application discussions have resulted in a building of a high quality design. Conditions to require samples of materials, and details of the new windows and doors are considered reasonable and necessary given the prominent location of this building in the Conservation Area. The Parish Council's comments regarding the flat roof store room to the side of the building are noted; however this will be hardly seen from public viewpoints given its scale and siting set back over 4m from the front elevation and given the level of boundary screening. A knee-rail fence is proposed along the front boundary, which is acceptable in principle; however full details of boundary treatments will be required under the recommended landscaping condition.

Impact on Conservation Area and Listed Buildings

- 7.8 The overall design and layout of the building is considered to represent a

significant improvement over the previously approved two storey building. The building is considered to be sympathetic to the surrounding Conservation Area, and will sit comfortably within the setting of nearby listed buildings. The siting and design of the building with a landscaped frontage and attractive street elevation to Hoddesdon Road is particularly considered to enhance the character and appearance of the area. No formal comments have been received from the Council's Conservation team at the time of writing this report; however this proposal has arisen out of earlier discussions with Conservation Officers.

Neighbour Amenity

- 7.9 The new building will be sited in close proximity to the applicant's residence, No. 42 Hoddesdon Road. However, given the reduced size of the building and its location to the north of No. 42, the proposal will cause no harm to residential amenity by way of overbearing or loss of light. No windows are proposed to overlook neighbouring property.
- 7.10 A condition to restrict opening hours of the building has been considered; however no such condition was attached to the previous consent. No opening hours are proposed in the application form, and it is anticipated that the use of the building will be predominantly during the daytime. It is therefore not considered reasonable or necessary to recommend a restriction on the opening hours of the building. The use of the building will be clearly set out in the S106 Agreement, and this is to include community, recreational and ancillary uses. The applicant has suggested that the building may be used for wedding receptions; however Officers do not consider this to be included within this definition. The Local Planning Authority would therefore retain control over the future use of this building in order to protect neighbour amenity.

Trees and Landscaping

- 7.11 There are no trees within the development site to be affected although there is a mature willow on the neighbouring boundary that overhangs the parking area. However, the development will be at a sufficient distance so as not to harm the root protection area of this tree and no objection has been raised by the Council's Landscape Officer. A condition is nonetheless recommended to ensure that this tree is protected from works and storage of materials during the course of construction.
- 7.12 Indicative landscaping is shown on the submitted drawings, which includes an 8m wide frontage to Hoddesdon Road, space for planting along the side elevation on Sanville Gardens, and a landscaped rear

parking area with a couple of indicative trees. A condition is recommended to require full details of this planting, and hard surfacing materials which are shown as permeable paving on the drawings. The Landscape Officer advises that the basic concept for the landscape proposals is acceptable; however the details need to be refined by condition to improve the setting of the building.

Access and Parking Provision

- 7.13 The rear car park will be accessed from Sanville Gardens, as previously approved under the 2004 permission. This is considered to be acceptable in terms of highway impact, provided adequate visibility splays are provided at the entrance. A total of 19 no. parking spaces (including 2 no. disabled spaces) are proposed. The Council's adopted Parking Standards set out a maximum requirement of 30 no. spaces for this particular use, of which a 75% provision in this location would amount to 22.5 no. spaces. The parking provision is therefore slightly lower than the Council's Standards.
- 7.14 However, it is material to note that 25 no. spaces were approved under the previous consent, but to serve double the amount of floorspace given the provision of a first floor doctor's surgery. It is therefore not considered reasonable to refuse the application on these grounds. Further, it is important to note that the site lies in close proximity to public transport links, and is within 10 minutes walking distance for most residents of Stanstead Abbots. County Highways have raised no objection to the proposal. The application is therefore considered to comply with policies TR2 and TR7 of the Local Plan.
- 7.15 A condition to require cycle parking facilities is recommended in accordance with policy TR13.

Flood Risk

- 7.16 The Environment Agency have raised no objection to the proposal subject to a condition requiring that finished floor levels are set no lower than 29.3 AOD. It is noted that existing site levels range from 29.99 to 30.26m AOD and as such this requirement could easily be accommodated. Regardless of those existing site levels, it is considered reasonable and necessary to attach this as a condition to ensure that the floor levels are not lowered in any way that may give rise to a flood risk. Subject to this condition Officers are satisfied that the proposal will not result in increased flood risk to people or property, in accordance with policy ENV19.

Sustainability

- 7.17 The building has been designed to incorporate solar panels along the south facing roofslope. This roofslope is not prominent in the Conservation Area, and as this proposal is considered to be acceptable in principle. The high water table in the area also provides a good source for a ground source heat pump system, which is suggested in the Design and Access Statement. This will all contribute to providing a lower carbon development. However, no details of these energy facilities have been submitted, and as such a condition is recommended to require full details prior to the commencement of development.

S106 Agreement

- 7.18 The 2004 permission was subject to a S106 Agreement setting out various requirements for the developer. One of these requirements, as set out in Schedule 2 of the agreement, was that the Community Building was to be constructed and completed within 24 months of the commencement of development. This timescale has already passed, and therefore it is considered reasonable and necessary to require that the revised Community Building be completed within 12 months of the date of the decision.
- 7.19 It is also necessary for the definition of “Community Building” in the previous S106 Agreement to be amended to remove reference to the doctor’s surgery that is no longer required. The revised wording is suggested at the beginning of this report.

8.0 Conclusion

- 8.1 Overall, Officers consider the proposed community building to be well-designed and a significant improvement to the somewhat uninspiring design previously approved under the 2004 permission. The scale, style and design of the building will enhance the character and appearance of the Stanstead Abbots Conservation Area, and will provide for a valuable community facility.
- 8.2 The application is therefore recommended for approval subject to the conditions set out above, and subject to the suggested amendments to the previous S106 Agreement.