

5e 3/13/1631/FP – Demolition of garages and erection of 2no. two bed houses including amenity space and car parking at land adjacent to 42 Clusterbolts, Stapleford, Herts, SG14 3ND for Riversmead Housing Association

Date of Receipt: 16.12.2013

Type: Full – Minor

Parish: STAPLEFORD

Ward: HERTFORD – RURAL NORTH

RECOMMENDATION:

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

1. Three Year Time Limit (1T12)
2. Approved plans (2E10) (100 A, 101 B, 102 E, PB1099-TR03, 106 B)
3. Materials of construction (2E11)
4. Boundary walls and fences (2E07)
5. Refuse disposal facilities (2E24)
6. Tree/hedge retention and protection (4P05)
7. Landscape design proposals (4P12) (e,i,j,k,l)
8. Landscape works implementation (4P13)
9. Construction hours of working - plant and machinery (6N07)
10. Sustainable Drainage (2E43)
11. Contaminated land survey and remediation (2E33)
12. Notwithstanding the details contained within the approved plans and prior to the first occupation of the development hereby permitted, all on site vehicular areas shall be accessible, surfaced, marked out and fully completed in accordance with details to be first submitted and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

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Directives:

1. Highway Works (05FC2)
2. Street Naming and Numbering (19SN5)
3. Asbestos (34AS1)
4. Bats (32BA3)
5. The applicant is advised that the storage of materials should take place within the site and not extend into the public highway without authorisation from the Highway Authority.

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan (Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the 'saved' policies of the East Herts Local Plan Second Review April 2007); the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012. The balance of the considerations having regard to those policies is that permission should be granted.

_____ (163113FP.TA)

1.0 Background:

- 1.1 The application site is shown on the attached OS extract. It lies within the village of Stapleford and is currently occupied by two garage blocks, comprising a total of 11 garages owned by the applicant Riversmead Housing Association.
- 1.2 Stapleford is designated as a Category 2 village in the Local Plan and lies within the Green Belt. The site forms a parcel of land at the end of Clusterbolts, a residential cul-de-sac comprised mainly of semi-detached dwellings. It is bounded to the south by designated open space land owned by Stapleford Primary School and by open Green Belt land to the east.
- 1.3 The proposal is for the demolition of the garage blocks and the erection of 2no. two storey semi detached dwellings. The dwellings would be 2 bed and would be for affordable rent. Access to the site is provided from the existing site entrance onto Clusterbolts. Private amenity space

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is proposed to the side and rear of the dwellings. 6no private car parking spaces are proposed within the site, 4no on the west boundary and 2no on the north boundary.

- 1.4 The site currently provides a right of way into an adjacent agricultural field located on the east boundary of the site. The plans have been amended during the course of the application to retain access to this field.

2.0 Site History:

- 2.1 The site has been used for garaging for a significant period of time. Planning records do not reveal any recent or relevant planning applications on the site.

- 2.2 The application follows pre application advice given by the Council in August 2013.

3.0 Consultation Responses:

- 3.1 The Environmental Health Department has recommended a condition relating to soil decontamination and advisory notes relating to construction hours of working and asbestos.

- 3.2 Hertfordshire Biological Records Centre has advised that there are no known ecological constraints regarding the proposed development.

- 3.3 County Highways do not wish to restrict the grant of permission subject to a condition requiring that all on site vehicular areas shall be accessible, surfaced and marked out prior to occupation of the dwellings. County Highways had originally raised an objection to the proposal on the basis of a lack of vehicular turning space provision within the site for all vehicles, including service vehicles. Without sufficient turning space service vehicles would be required to reverse 50m along the public highway in order to turn around. However, amended plans have been submitted which have altered the layout of the development. Tracking diagrams show the provision of turning space within the site capable of accommodating service vehicles.

- 3.4 The Council's Landscape Officer recommended refusal on the originally submitted plans on the basis that the proposed layout does not conform to minimum parking standards. It was also considered that the small size of spaces left between parking bays and the carriageway represented a cramped arrangement. The development would have no adverse impact on surrounding trees. His verbal comments on the

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amended plans indicate that the landscaping of the site is now acceptable.

4.0 Town Council Representations:

4.1 Stapleford Parish Council formally objects to the application and supports residents' objections. The following specific concerns are raised:

- Access for emergency and delivery vehicles;
- Inadequate sewerage system;
- Loss of access to back of houses;

5.0 Other Representations:

5.1 The application has been advertised by way of press notice, site notice and neighbour notification. Following receipt of amended plans to address a lack of turning space within the site, Members, relevant consultees, the Parish Council, and neighbouring residents were re-consulted.

5.2 Councillor M McMullen has written objecting to the original plans on the basis of a lack of access and turning space for such traffic as oil delivery vehicles, emergency vehicles and emergency service vehicles within the site.

5.3 In response to the original notification, 14 letters of objection were received from local residents. Following receipt of amended plans and additional information, 2 residents have reaffirmed their objections in writing to the proposal.

5.4 The planning related objections raised can be summarised as follows:

- Absence of turning space/access provision for large vehicles;
- Already overloaded sewerage system and low water pressure;
- Loss of the garages will add to congestion on the road and cause parking problems;
- Construction vehicles will put pressure on existing infrastructure;
- Possible contamination;
- Garages are of value to residents;
- Loss of pedestrian access to the rear of properties;
- Noise from construction;
- Loss of access to the agricultural land;
- Disagree with the parking survey that there is parking capacity on

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Clusterbolts;

- Will add to a precarious traffic problem and harm pedestrian safety;
- Site is within the Green Belt;
- Inappropriate Study Area for the Parking Survey;
- Inappropriate Timing of Observations for the Parking Survey;
- Inappropriate location of refuse facilities;
- Pressure on local services/schools;
- Obstruction of a right of way to adjacent agricultural field;

6.0 Policy:

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

OSV2	Category 2 Villages
GBC1	Appropriate Development in the Green Belt
HSG7	Replacement Dwellings and Infill Housing Development
TR2	Access to New Developments
TR7	Car Parking Standards
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV11	Protection of Existing Trees and Hedgerows
ENV16	Protected Species

6.2 The National Planning Policy Framework is also a material consideration in the determination of the application.

7.0 Considerations:

Principle

7.1 The site is located in the built up area of Stapleford, a Category 2 village within the Green Belt.

7.2 Policy GBC1 (f) allows for limited infill development in Category 2 villages in accordance with Policy OSV2 (II).

7.3 Policy OSV2 states that infill housing development for housing which meets a local need may be permitted within the built up area of the village. The proposal is for 100% affordable housing and therefore would help to reduce the lengthy waiting lists in the District for such accommodation.

7.4 Infill development is defined as follows on p178 of the Local Plan:

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'the erection of up to five small dwellings on a site within the built up area of the village, where such development can take place without damage to the character or appearance of the locality. Infill development does not constitute the linking of two separate built up areas within a settlement, separated by a significant gap, or the consolidation of an isolated group of buildings '

- 7.5 The site is previously developed land currently used by residents of Stapleford for garaging and domestic storage. In terms of its use, it has an intimate association with the existing dwellings on Clusterbolts.
- 7.6 Officers adjudge the site to be located within the built up part of the village. It does not constitute the linking of two separate built up areas within a settlement or the consolidation of an isolated group of buildings. It is considered a natural infill site between No's 31 and 42 Clusterbolts. Accordingly, Officers adjudge the proposal to comprise infill development, of which there is no objection to in principle, subject to the development taking place without damage to the character and appearance of the locality.

Design Layout and Character

- 7.7 The site forms a parcel of land at the end of the cul-de-sac Clusterbolts. Clusterbolts contains semi-detached dwellings and there is the potential for another pair of dwellings to enclose the cul-de-sac and improve the visual amenity of the existing site. The site is fully hard surfaced and contains a number of potholes. Some of the garages are underused and/or in need of refurbishment. There is therefore an opportunity to improve the visual amenity of the site by providing high quality accommodation of a scale and character appropriate to the local area.
- 7.8 In terms of the design of the dwellings, Officers note that the dwellings are proposed to Lifetime Homes standards. They are designed with predominantly brick elevations with a tiled pitched roof although the precise materials can be agreed by planning condition. The dwellings would be of a similar scale and design to those in the existing streetscene and are considered to be sympathetically designed and respectful of the predominant character of two storey semi detached and terraced dwellings. Spacious gaps are retained to the nearest dwellings – No's 31 and 42. Solar panels are proposed on the south facing roof slopes. Overall, the dwellings would appear appropriately designed and integrated with the streetscene and village.
- 7.9 In terms of layout, amended plans have shifted the dwellings slightly

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further to the east side of the site than originally proposed. This was done in response to concerns over the original layout that large vehicles such as oil tankers, refuse vehicles and emergency vehicles would be unable to turn within the site.

- 7.10 Officers are satisfied that this layout is acceptable. The dwellings would front onto Clusterbolts itself to match those existing dwellings in the streetscene and would be set sufficiently back from the site frontage not to appear unduly prominent or imposing from public view. The position of the dwellings would allow spacious gaps to the side boundaries of the site, thereby retaining open views of the countryside beyond. The dwellings would each be provided with a private garden area and some additional soft landscaping is proposed to the side and front of the dwellings to soften their appearance. Soft landscaping will considerably improve the visual amenity of the site and the Council's Landscape Officer has verbally indicated that the soft landscaping treatment is acceptable. An appropriate hard and soft landscaping scheme would need to be agreed by condition. The Landscape Officer has also indicated that there would be no harmful impact on surrounding trees. An existing off site sycamore would be retained whilst one tree is proposed to be planted to partly overhang the new parking area to the east side of the site. There is a need to secure appropriate refuse storage and this can be done through a planning condition.
- 7.11 In terms of existing accesses and connections, the new layout would maintain the right of way into the agricultural field to the west boundary of the site whilst also maintaining the existing access to No.42 Clusterbolts. Access to the site for vehicles is taken off Clusterbolts itself. In this sense the layout is considered to retain the main connections to the surrounding area and would ensure the site is integrated with the surrounding community.
- 7.12 Overall, Officers consider that the development would be sensitively designed, respecting the character and visual quality of the area and being satisfactorily integrated into the village. Moreover, the development would provide much needed affordable housing on previously developed land.

Parking and Access

- 7.13 A significant concern for surrounding residents is the capacity for large vehicles to enter and exit the site safely. Officers understand that Stapleford is not connected to the main gas line, and therefore many of the houses use oil or coal heating which is delivered by lorries and oil tankers. This is equally applicable for refuse vehicles and emergency

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vehicles. The amended plans have sought to address the lack of turning space originally proposed. County Highways had objected to this as larger vehicles would have been forced to reverse from the site in excess of 50m to turn around to the detriment of the free and safe flow of traffic on Clusterbolts. The amended layout includes a swept path analysis showing how larger vehicles can turn within the site in order to exit in a forward gear. County Highways are satisfied that the amended layout would not obstruct the free and safe flow of traffic and that sufficient turning space is provided for all vehicles, including large vehicles. The amended plans would also ensure that the right of way into the adjoining agricultural field remains open for use.

- 7.14 County Highways also note that access arrangements are generally good and that the number of trips to and from the site is likely to be reduced when compared to the existing garage site. Visibility onto the public highway is good and the access onto the site is double width, allowing vehicles to pass one another.
- 7.15 One of the key issues, and another concern for residents, is the loss of the garages and the possible displacement of vehicles onto the public highway. In total, the development would result in the loss of 11 garages on the site of which 9 are let. On the basis of the garage occupancy surveys carried out, it is estimated that 5 vehicles will be displaced onto the highway as a result of the garage loss. County Highways state that this figure may be a slight underestimation although they do note that nationally, a significant proportion of garages are now used for purposes other than accommodating a car. They also note correctly that unless there is a legal covenant requiring the garages to remain or be replaced there is little that can be done to retain them.
- 7.16 The residents concerns in respect of parking capacity on street to accommodate displacement vehicles are noted and understood. However, Officers note that 6 spaces in total are provided on site. The Council's maximum car parking standards for 2 bed dwellings requires 1.5 spaces per dwelling or 3 spaces in total. The 6 spaces in total provide for an additional 3 spaces to cater for any displacement vehicles from the garages. Thus, if up to 5 vehicles are displaced, Clusterbolts would need to accommodate 2 additional vehicles to accommodate their loss.
- 7.17 The applicant has carried out a Parking Stress Survey to determine whether there is capacity on street. The surveys were carried out on two consecutive weeknights in the early hours of the morning and covered a 200m walk from the site. Whilst there have been objections to the study area and timing of observations, Officers regard these to be

reasonable to ascertain a realistic impression of parking stress on Clusterbolts. The early morning hour is designed to ensure that the survey results reflect the maximum take-up of parking rather than being carried out during the day or at weekends when residents may ordinarily be elsewhere. Whilst school drop off times may elicit greater parking stress, these will not be all from residents of Clusterbolts. The survey reveals a parking stress average of 54% and a spare capacity of 40 spaces on street. Officers consider that even if this figure is slightly greater than a normal situation, it nevertheless indicates that there is capacity within Clusterbolts to accommodate up to 5 vehicles displaced from the garages. Officers also note that in respect of parking capacity, the dwellings on Clusterbolts are all served by off street parking provision and that there are no on street parking restrictions.

- 7.18 Having examined the proposal and accompanying parking survey, County Highways are content that any displaced parking that may have resulted from the garages would not impact upon the strategic highway network and that the development is acceptable with regard to highway safety and parking capacity.
- 7.19 Overall therefore, Officers do not consider that the proposed development would result in harm to highway or pedestrian safety or that it would compromise parking capacity on Clusterbolts.

Neighbour Amenity

- 7.20 The impact that the development would have upon the neighbouring properties in terms of potential loss of light, privacy, outlook and any overbearing impact has been considered. The existing garages are of a modest size and height. The redevelopment of the site for 2no. 2 storey dwellings will inevitably change the visual impact of the site and the relationship that it has with neighbouring sites. However, it is the degree of the impact upon neighbouring occupiers that has to be assessed and a judgment made as to whether the impact is of such a degree as to warrant the refusal of the application.
- 7.21 In Officers view this would not be the case. Movements to and from the site would be reduced in relation to its existing use and spacious gaps are retained to the nearest dwellings either side of the development site to avoid a harmful overbearing, overlooking or overshadowing impact.
- 7.22 There has also been some concern about noise and disturbance resulting from the construction of the dwellings and movements of vehicles to and from the site. Officers consider that there would not be an intensification of movement that would give rise to additional noise and disturbance. Any noise arising from construction will be temporary

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and subject to normal working hours.

- 7.23 With regard to future occupiers, Officers are content that sufficient internal and external amenity areas are proposed.
- 7.24 Accordingly, Officers are content that the development would not cause harm to the amenities of existing or future occupiers.

Other matters

- 7.25 There have been concerns raised in relation to the impact of additional development on the sewerage network and water supply. However, this is not something that Officers can consider as part of a planning application of this scale. The issues of asbestos and contamination in the garages are something that has been considered by the Council's Environmental Health Department and a soil decontamination condition and directive regarding asbestos are included in the recommendation.
- 7.26 In respect of ecological issues, the absence of vegetation on the site and bat habitats within the garages, supported by an Ecology Survey, is noted. Hertfordshire Ecology have stated that there are no known ecological constraints and that the application can be determined accordingly.
- 7.27 The development is outside of designated flood zones and there would be a net reduction in impermeable surfacing. Accordingly, the application is considered acceptable with regard to flood risk.

8.0 Conclusion:

- 8.1 Having regard to the representations made by consultees and local residents, Officers consider that, on balance, the details submitted for the proposed development are acceptable and would result in a sustainable form of development in compliance with the National Planning Policy Framework and the Local Plan. It would contribute towards the Council's 5 year housing land supply and affordable housing provision and appropriate weight should be attributed to this. Furthermore, the layout and appearance of the proposed development is considered to be acceptable and it would not, in Officers view, be detrimental to the visual quality of the area; the amenities of neighbouring residents or have any adverse impact on highway safety or parking capacity in the area.
- 8.2 Given these matters, Officers recommend that planning permission be granted for the proposed development subject to the conditions

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recommended at the head of this report.