

**3/07/0822/FP – Erection of 29 retirement dwellings (including 10 affordable 2 bed units) plus a managers flat, garaging and management facilities at Pentlows Farm, Braughing for English Courtyard Developments.**

**3/07/0823/LB – Barn to be restored and converted to provide site storage and office space in connection with new retirement housing .One new window to be formed .Roof to be replaced with new pantiles .Weather boarding and doors to replaced like for like .New floor and insulation internally .Modern farm sheds and silos demolished .Brick cowsheds part demolished but with facades retained at Pentlows Farm, Braughing for English Courtyard Developments.**

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**Date of Receipt: 20.04.07**

**Type: Full**

**Parish: BRAUGHING**

**Ward: BRAUGHING**

**RECOMMENDATION**

That subject to no material issues arising prior to the expiry of the public consultation period, and subject to the applicants, within six months of the date of this resolution entering into an Agreement under Section 106 of the Town & Country Planning Act 1990, in respect of the following matters:-

- 1) The provision 10 two bed units of affordable housing comprising 75% rented and 25% intermediate market housing, plus one key workers flat, reserved for sheltered accommodation (occupants over 55 years of age) though let for general needs in the event of a lack of demand for sheltered accommodation
- 2) The provision of financial contributions of £500 per 1 or 2 bed residential unit, £1000 per three bedroom house, index linked from the date of grant of planning permission, which shall be payable upon commencement of the development towards sustainable transport schemes and measures in the vicinity of the site.
- 3) The provision of £204 per unit for library contributions, in accordance with the current HCC Indicative Contributions Table.
- 4) The provision of fire hydrants in accordance with the current HCC Indicative Contributions Table.
- 5) The provision of £5000 towards a Traffic Regulation Order to secure changes to the speed limit on the public highway adjoining the site.

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- 6) The provision of £205 per dwelling towards youth and childcare services in accordance with the current HCC Indicative Contributions Table.

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

1. Three Year Time Limit (IT12)
2. Levels (2E05)
3. Boundary walls and fences (2E07)
4. Samples of materials (2E12)
5. Refuse disposal facilities (2E24)
6. Lighting details (2E27)
7. Cycle parking facilities (2E29)
8. Materials arising from demolition (2E32)
9. Existing access closure (3V05)
10. Hard surfacing (3V21)
11. Provision and retention of parking spaces (3V23)
12. Wheel washing facilities (3V25)
13. Landscape design proposals a), b), e), d), e), f), i), j), k), l) (4P12)
14. Landscape works implementation (4P13)
15. Landscape maintenance (4P17)
16. Construction hours of working – plant and machinery (6N07)
17. Hedge retention and protection (4P06)
18. Contaminated land survey and remediation (2E33)
19. Protection of Bats (2E19)

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20. Prior to first occupation of the development hereby permitted, the listed building consent shall be implemented in full in accordance with the details approved under LPA ref: 3/07/0823/LB.

Reason: To ensure the listed building is renovated in tandem with the permission hereby granted.

21. The proposed development shall be carried out and completed in all respects in accordance with the on-site vehicle areas, access siting and layout illustrated on the approved plans and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.

22. Before first occupation of the development hereby approved a pedestrian access shall be provided to form a continuous link between the site and the existing footway on The Street in accordance with details to be first submitted to and approved by the local planning authority.

Reason: To ensure that the site is accessible to all to promote alternative modes of transport to the development.

#### Directives

1. Other legislation (010L)
2. To ensure all work undertaken on the highway is 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 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

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#### Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (Hertfordshire County Structure, Minerals Local Plan, Waste Local Plan and East Herts Local Plan) and in particular policies OSV1, OSV4, HSG2, HSG3, HSG4, HSG 6, Policy TR1, TR 2, TR7, ENV1, ENV2, ENV11, ENV16, ENV17, ENV21, and BH1 to 3 of the East Herts Local Plan Second Review (April, 2007). The balance of the considerations having regard to these policies is that planning permission should be granted.

And the Director of Neighbourhood Services be authorised to **GRANT** Listed Building Consent subject to the following conditions:

1. Listed Building Three Year Time Limit (1T14)
2. Timber Structure (8L01)
3. Timber Frame (8L02)
4. New Window (8L03)
5. New Doors (8L04)
6. New Boarding (8L07)
7. Rainwater Goods (8L09)
8. Making Good (8L10)

#### Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (Hertfordshire County Structure, Minerals Local Plan, Waste Local Plan and East Herts Local Plan) and in particular policies BH4, BH5, BH6, BH11 and BH12 of the East Herts Local Plan Second Review (April, 2007). The balance of the considerations having regard to these policies is that planning permission should be granted.

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**1.0 Background**

- 1.1 The application site is shown on the attached OS extract.
- 1.2 The applicant is a specialist provider of retirement housing and has won numerous awards in respect of build quality and design. The site occupies the entirety of an allocated site (115) for housing in the Local Plan.
- 1.3 Originally the application encompassed the provision of 17 units and 2 flats for sale in addition to 6 affordable units, plus a manager flat. However, since the adoption of the East Herts Local Plan (Second Review, April 2007) the policy context pertaining to the site had been updated since pre-application discussions were held with the developer in 2006. The developer was therefore made aware that the submitted application would not comply with the affordable housing requirement as required by policy HSG3 of the Local Plan or make the best use of previously developed land by delivering the estimated housing figures for the site as stipulated in policy OSV4.
- 1.4 Therefore the number of units on site has been revised upwards in line with the Local Plan requirements to achieve a total of 19 private units for sale with 10 two bed affordable units plus one key workers (managers) flat.
- 1.5 The affordable housing is concentrated in Block A (6 x two bed apartments) and Block H (4 x two bed apartments). The remaining units are in Block B – 2 x two storey two beds, Block C (3 x two bed dwellings and 1 x three bed dwelling), Block F (2 x three bed dwellings, and 3 x two bed dwellings), Block D (2 x two bed dwellings and 1 x 3 bed dwelling) and Block E (1 x three bed apartments, 3 x two bed apartments, 2 x two bed dwellings).
- 1.6 The site lies within the 'built up area', the Conservation Area and adjoins the curtilage of Pentlows Farmhouse which is Grade II listed. The farmhouse is however in separate ownership and does not form part of this application. On the road frontage next to the existing entrance is a small listed barn in a poor state of repair and adjoining this is a three part cowshed with a blank façade of black painted brick which steps to follow the fall in the road.
- 1.7 Within the site there is an unsightly sprawl of silos and large asbestos cement sheds. The site is contaminated and lies on the eastern side of the valley which divides the village. There is a 5 metre fall between the highest and lowest parts of the land proposed for development. The development land is defined by the existing fence line fairly close to the farm buildings. The pasture below the fence, between the site and the river is in separate ownership and does not fall within the 'built up area' of the Category 1 Village or within the Local Plan site allocation. There are important views of the site from the Churchyard from Church End and from the ridge to the

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west. From the road, on its eastern boundary, the character of the site is defined by the farmhouse, the small barn and the existing black brick cowsheds. There are trees along both the northern and southern boundaries. It is only at its south eastern corner that the site adjoins other residential properties.

- 1.8 The long terms management of the scheme is expected to pass to the English Courtyard Association Ltd, which is a not-for-profit company that operates a network of professional support staff who work to ensure each development is run efficiently and that the residents are given appropriate support. The Pentlows Farm site is anticipated to have an on-site warden who will reside in the key workers managers flat.

### **2.0 Site History**

- 2.1 As part of the Local Plan making process, the site (ref: 115) was allocated for residential development. This has been formalised in policy OSV4 of the Local Plan.
- 2.2 No relevant planning applications have been made at the site prior to this allocation.

### **3.0 Consultation Responses**

- 3.1 The Environment Agency object to the scheme stating that insufficient information has been provided with the application to demonstrate that the risk of pollution to controlled waters is acceptable.
- 3.2 Natural England object to the proposal stating that whilst the legislative issues appeared to be addressed by the wildlife survey submitted with the application, the report does not clearly state which of the proposed mitigation options is to be put forward with the licence application.
- 3.3 The Council's Landscape Officer has stated that he is aware that the applicant gives 'high regard to landscape design' and is happy with the details submitted subject to the imposition of some suggested landscape conditions.
- 3.4 The County Archaeologist has suggested a condition in respect of a programme of archaeological work at the site.
- 3.5 English Heritage state that the application should be determined in accordance with national and local policy guidance and on the basis of the Council's specialist conservation advice.

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- 3.6 Environmental Health recommends that a condition pertaining to contaminated land is imposed on granted planning permission.
- 3.7 Hertfordshire Biological Records Centre state that they have evidence of bat roosts either side of Pentlows Farm and that the bat survey data from 2006 is not current enough to satisfy the requirements of a licence application. Therefore additional and more up to date bat emergence surveys will be required in order to obtain a licence.
- 3.8 The County Development Unit have requested Section 106 contributions detailed in the recommendation above.
- 3.9 Hertfordshire Highways have suggested conditions pertaining to highway safety and accessibility that should be attached in the event of planning permission being granted. They also request that the developer is required to pay a sum of £5000 towards Sustainable Public Transport Programmes and £17000 towards infrastructure improvements within the vicinity of the site. The Highways Officer also notes that the scheme suggests the provision of a footpath onto The Street in the south eastern corner of the site. There is no footway at this point and therefore a condition requiring the applicant to provide a suitable link between the site and the existing footway within The Street to the south of Pentlows Farm has also been suggested.
- 3.10 The Conservation Officer has stated that he has no objections to the scheme in general though has reservations regarding the features of Block H. In his opinion, Block H should include a reduced or fragmented roof line, more varied or co-ordinated dormer windows and window openings, and more interest added to the wall surfaces and doors.

#### **4.0 Parish Council Representations**

- 4.1 The Parish Council state that they do not object to the application though they would like the speed limit to be reduced on the relevant sections of The Street and Gravelley Lane. They would also like the applicant to enter into a Section 106 Agreement with regard to the provision of a minibus for use by the occupiers of the development, the details of which the Parish Council would like to be involved in. No further comments have been received from the Parish Council regarding the amended scheme.

#### **5.0 Other Representations**

- 5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.

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5.2 Five objections have been received which state that:

- The size of the buildings is larger than expected
- It would damage the Conservation Area
- Overlooking
- The estimated traffic movements seems too low
- The scale is out of character
- It seems unreasonable to attract more aged people to the village, what we need is affordable housing for young people
- Increased pollution
- We believe the site can only sustain 12 houses
- The development will dominate the village and surrounding area
- Key amenities will be overstretched

## **6.0 Policy**

6.1 Policy OSV1 of the Local Plan designates Braughing as a Category 1 Village, where infill housing is acceptable within the village boundaries, subject to certain criteria.

6.2 The main policy pertaining to this application is OSV4 of the Local Plan which allocates the Pentlows Farm site for an estimated 18 open market dwellings and 12 affordable units.

6.3 Other non-site specific policies relevant to the scheme include: HSG 2 (Phased Release of Housing Land), HSG 3 (Affordable Housing), HSG 6 (Lifetime Homes), Policy TR1 (Traffic Reduction in New Developments), TR 2 (Access to New Developments), TR7 (Car Parking Standards), ENV1 (Design and Environmental Quality), ENV2 (Landscaping), ENV 11 (Protection of Existing Hedgerows and Trees), ENV16 (Protected Species), ENV17 (Wildlife Habitats), ENV21 (Surface Water Drainage), and BH1 to 3 (Archaeology).

## **7.0 Considerations**

7.1 The Local Plan states that based on the Housing Provision Strategy, the villages are required to make provision for an additional 300 net dwellings on sites of a size capable of accommodating five or more dwellings. Pentlows Farm has been allocated in the Local Plan as being one of these sites. Policy OSV4 stipulates that the site should provide around 30 dwellings with 12 being affordable and 18 open market. The amended scheme encompasses 19 retirement dwellings and 11 affordable units (including the key workers manager flat).



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- 7.2 Whilst this leaves an approximate shortfall of 1 unit below the 40% affordable housing target, it should be noted that the affordable housing element provides two bed units throughout which is far more valuable in housing terms than standard one bed affordable units. The Council's Housing Manager has stated that she welcomes this amount and size of unit. Following discussions held with the Housing Manager during the lifetime of the application, it is anticipated that the units will initially be reserved for residents over 55 years of age in line with the tenure of the private element of the scheme. In the event of the units being unable to let to this age group at a district wide level, the units would then be made available for general needs affordable purposes. Through agreement with social housing providers Officer would also seek to ensure that the service charges for the affordable housing are as low as possible and that the tenure mix clearly matches the need in the district.
- 7.3 I therefore consider that the general principle of the establishment of the number and mix of dwellings on site accords with Local Plan policy OSV4, and that the very slight provision below the affordable housing target is in this instance acceptable.
- 7.4 The existing farm buildings on site and the associated silos do not contribute to the character of the Conservation Area. I therefore have no objections to their removal.
- 7.5 In respect of design, the developers have sought to reflect local character throughout the scheme and have developed the scheme in accordance with advice obtained from the Council's Conservation Officer. A design has therefore evolved which, while still emphasising English Courtyards importance attached to landscaped spaces, uses an informal and highly varied vocabulary in the design of the buildings themselves which is more indicative of local vernacular and layout in Braughing. The scheme will utilise a variety of materials which successfully coexist in the surrounding built form of Braughing. Red brick, flint, weatherboarding (both black and white) and render (both coloured and pargetted) are all materials that feature in the village and are proposed to be used.
- 7.6 Other characteristics of the village have also been referenced by the developer such as the variety of roof forms and materials, the use of chimneys and different types of dormer windows. The need to site the buildings as naturally as possible on the steep east-west slope has also had a decisive effect in creating a varied roofline which will add interest to the development in views across the valley from the west.

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- 7.7 The new buildings are set in two major groups, of four and five blocks respectively, which closely replicate the footprint of the existing farm buildings and which create three significant spaces. In the northern part of the site the affordable units surround a parking courtyard which will be landscaped to give a farmyard type character. Two affordable bungalows facing into this area are built against the retained wall of the existing cowsheds and the old barn is converted for use as the manager's office.
- 7.8 At the southern end of the site the houses cluster around a more formal lawned garden with open corners giving views out over the river valley. The mill-like eastern block within this group straddles the steepest part of the site with the warden's flat built against a retaining wall at its lowest level so that from the garden of the farmhouse this block appears to be only one and a half storeys high. Outside the two major building groups a block of garages partially set into the slope provides a buffer between the development and the adjoining farmhouse garden. The access road into the site along the northern boundary will be separated from the blocks to a degree by a landscaped boundary with the buildings. This will give a sense of openness to vehicles entering the site.
- 7.9 One outstanding issue in respect of design has been identified by the Conservation Officer pertaining to the affordable units in Block H. The building appears to be slightly at odds with the remainder of units on site, being proposed to be constructed in a dour uniform appearance which does not sufficiently replicating the surrounding units in terms of interesting architectural features such as broken ridge lines. The Conservation Officer has however stated that in terms of size and scale it appears acceptable and therefore design revisions could be undertaken for it to maintain sympathy with the related development on site. Officers are currently negotiating with the applicant to achieve the Conservation Officer's recommendations, the outcome of which will be reported verbally to Members at the Committee meeting.
- 7.10 Subject to the amendments being undertaken, I consider that the proposed buildings will not harm the special character of the Conservation Area and will instead represent welcome additions that will enhance its visual interest.
- 7.11 The Listed Building Consent pertains to the listed barn which adjoins the existing access and existing black brick cow sheds along the eastern boundary of the site. It is in a poor state of repair. The barn is therefore proposed to be restored as part of the scheme to provide site storage and office space. One new window will be formed and the roof is to be replaced with new pantiles. The weatherboarding and doors will also be replaced on a like for like basis. I have no objections to the restoration of the listed

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building in this manner, nor do I have concerns regarding the setting of the building which will be improved in my opinion.

- 7.12 Turning to the impact on listed Pentlows Farmhouse, I am of the opinion that the removal of the deteriorating farm buildings and silos will improve the setting of the farmhouse. The house also occupies the highest gradient of the site closest to the road adjoining the site frontage and it will not therefore be overdominated by any of the proposed dwellings whilst views of the listed building across the river valley will be maintained. As the proposed residential units are to be constructed utilising materials and designs that are relevant to Braughing's historic core, they will not conflict with the listed building's traditional architecture. The landscaping improvements to the site will also enhance the listed building's setting.
- 7.13 It is evident that Block F is located approximately 11 metres from the boundary of adjoining property, number 15 The Street. However, the block will not directly overlook their private garden space closest to the rear elevation of their house, and instead will overlook the rear garden space furthest away from the property. An outbuilding located within the garden space of number 15 also encloses the aforementioned private garden area further, and therefore privacy within this location will be maintained. I therefore do not consider that this impact is unacceptable. Other overlooking impacts to the west are of such distance to properties in that direction that I consider any impact acceptable.
- 7.14 Appendix II of the Local Plan states that sheltered housing development subject to warden control is subject to a maximum parking standard of 0.5 to 1 space per unit. The scheme envisages 19 garages provided for the private sale housing element on site, one garage for the resident warden and 10 spaces are being made available for the affordable housing element. Five further spaces will be provided for visitors to the site. This gives a total of 34 spaces which is four spaces above the recommended maximum stated within the Local Plan. However, I do not consider this level of provision is unacceptable taking into account the distance of Braughing from main public transport links and the sympathetic integration of the parking and the landscaping throughout the scheme.
- 7.15 Hertfordshire Highways have stated that the access to the front of the site can provide the standard visibility splay requirements and therefore do not consider that the access will represent a danger to highways safety or interrupt with the free flow of traffic. It should also be noted that the levels of traffic generated by sheltered housing schemes is normally below that found in general needs housing schemes. It is also of further importance to note that a mini bus facility will be provided to residents of the private element on site. This will further reduce levels of traffic. Hertfordshire Highways have

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recommended approval for the scheme taking into account the traffic implications discussed.

- 7.16 With regard to the comments from Natural England and HBRC, I consider that the suggested condition can overcome their concerns, since work may not proceed on site until a Habitats Regulation Licence has been applied for from Natural England. This would therefore require the applicant to undertake a subsequent survey that would satisfy their requirements.
- 7.17 The Environment Agency have objected to the scheme stating that insufficient information has been provided to demonstrate whether the risk of pollution to local watercourses is acceptable. I consider that the condition pertaining to contaminated land will however overcome their concerns, since a survey and any potential remedial works will need to be carried out and approved by the Local Planning Authority prior to the bulk of development commencing on site.
- 7.18 The County Council Planning Obligations Unit have stated that in addition to the sums identified at the beginning of this report, they are seeking contributions towards youth and childcare. I do not consider that the full sum is reasonable in this instance, as the affordable housing is likely to be reserved for sheltered accommodation and only made available for general needs if it cannot be let to over 55's. Therefore I consider that 50% of the requested sum is a reasonable figure.

## **8.0 Conclusion**

- 8.1 I conclude that the Pentlows Farm development accords with policy OSV4 of the Local Plan, and that it represents a high quality development that will enhance the character of the Braughing Conservation Area.
- 8.2 Taking into account all other matters relevant to the scheme; I recommend that planning permission is granted, subject to the conditions stated at the beginning of this report.