

**5e 3/10/2110/FP - Demolition of existing buildings, erection of 6no. two bedroom, two storey houses and 6no. three bedroom, two and a half story houses (in the form of four terraces and 1no. detached house), fifteen car parking spaces, 12 secure cycle spaces and landscaped forecourt at Firlands House, Firlands, Bishops Stortford, Herts, CM23 3TD for Circle Anglia**

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**Date of Receipt:** 30.11.10

**Type:** Full – Major

**Parish:** BISHOPS STORTFORD

**Ward:** BISHOPS STORTFORD – CENTRAL  
BISHOPS STORTFORD- SILVERLEYS

### **RECOMMENDATION**

That subject to the applicants entering into a legal obligation pursuant to S106 of the Town and Country Planning Act 1990 to cover the following matters:-

1. Financial contributions towards:
  - Primary education of £30,731;
  - Secondary education of £14,516;
  - Nursery education of £4,178;
  - Childcare of £1,569;
  - Youth services of £274;
  - Libraries of £694;
  - Sustainable transport of £2,500;
  - Community Facilities of £2628;
  - Open Space- Provision for Children and Young People and Outdoor Sports Facilities of £9906.43;
  - Recycling facilities of £864 and
  
2. The provision of fire hydrants;

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

1. Three Year Time Limit (1T12)
  
2. Boundary walls and fences (2E07)
  
3. Approved plans (2E10)  
PI001A, PL002A, PL003A, PL004A, PL005A, PL006A, EX002, EX003, EX004, S01, Site Location Plan

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4. Samples of materials (2E12)
5. Existing access closure (3V05)
6. Construction parking & Storage (3V22)
7. Provision and retention of parking spaces (3V23) Insert '*and all access and junction arrangements shall be completed*' and '*and in the interests of highway safety*'
8. Tree retention and protection (4P053)
9. Landscape design proposals (4P124 – a, b, d, e, i, j, k, l)
10. Landscape works implementation (4P133)
11. Construction hours of working- plant & machinery (6N07)
12. Measures to ensure that the development does not adversely impact upon bats or their roosts shall be carried out in accordance with the recommendations set out in the approved Bat Report received on 14 January 2011, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the habitats of bats which are a protected species 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.

#### Directive:

1. You are advised that the presence of any significant unsuspected contamination that becomes evident during the development of the site including asbestos should be brought to the attention of the Local Planning Authority as soon as possible.

#### 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 the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies ENV1, ENV2, ENV3, ENV16, HSG1, HSG3, HSG4, HSG6, IMP1, TR7, TR14 and of the Local Plan and PPS1 – Delivering Sustainable Development and PPS3 – Housing. The

balance of the considerations having regard to those policies is that permission should be granted.

\_\_\_\_\_ (211010FP.FH)

## **1.0 Background**

- 1.1 The application site is shown on the attached OS extract. It lies to the west of Bishop's Stortford town centre at the end of Firlands, a cul de sac characterised mainly by relatively modern two storey terraced properties. The site is surrounded by residential properties which are predominantly two storeys in height and the land rises to the west.
- 1.2 The site itself is some 0.29 hectares in size and currently comprises Firlands House which was built in the 1960s and accommodates 24no. sheltered housing bedsits for elderly residents and a shared lounge. It is a two storey flat roofed building with a single storey element at the front. There is also a two storey wardens house and garage and a surface car park which can accommodate approximately 10 vehicles on the site.
- 1.3 In the Design and Access Statement the applicant advises that the high maintenance costs of Firlands House coupled with its consistent under occupation for many years has rendered it financially unviable.
- 1.4 In 2009 Circle Anglia undertook a full Options Appraisal exercise for the site. This confirmed that the building did not meet the modern standards required of Sheltered Accommodation and as such would need significant investment to maintain and improve the building. Further investigations took place into the provision of a replacement extra care sheltered housing scheme on the site, however after consulting with Hertfordshire County Council who advised that a facility of that size would be too small in terms of their commissioning economies of scale/ priorities for care and support to guarantee that the necessary support would be funded and an unsuccessful bid for Social Housing Grant the current scheme was developed.
- 1.5 The application seeks permission for the demolition of the existing buildings on the site and its redevelopment to provide 12 dwellings, 6no two bed and 6no three bed units. All the dwellings are to be affordable and built to life time homes standards. In addition 15 car parking spaces and 12 secure cycle spaces will be provided.
- 1.6 The dwellings are to be provided in four groups of terraces and a detached dwelling, set back from the road, following the existing staggered street pattern. The dwellings are a mix of two and two and half storeys with asymmetrical pitched roofs and simple fenestration. Materials of

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construction proposed are facing brick and grey concrete roof tiles with timber panels painted white.

- 1.7 The application is supported by a Ground Investigation Report, a Sustainability Statement, a foul sewerage and utilities survey, an Arboricultural Survey, an Extended Phase 1 Habitat Survey, a Bat Survey, a Code for Sustainable Homes Ecological Assessment and a Design and Access Statement.

### **2.0 Site History**

- 2.1 There is no relevant planning history relating to the site.

### **3.0 Consultation Responses**

- 3.1 County Highways advises that the scheme is acceptable in a highway context subject to the imposition of conditions regarding the completion of all highway works and car parking areas prior to the occupation of the development; the closure of existing accesses; the provision of cycle parking facilities; the provision of space within the site for parking and storage during construction and the development being completed in full accordance with the approved plans.
- 3.2 It is noted that although the scheme is for a reduction in individual housing units, the change in occupancy is likely to result in an increase in car usage. This may result in an increase in traffic movements on the surrounding highway network however this will not be significant. It is recommended that consideration be given to seeking an accessibility contribution of £7500 (£500) per car parking space.
- 3.3 Hertfordshire County Council's Planning Obligations Unit seeks contributions towards primary education (£30,731), secondary education (£14,516), nursery education (£4,178), childcare (£1,569), youth (£274) and libraries (£694) as well as appropriate fire hydrant provision. These are sought to mitigate against the impact of the proposed development on facilities serving this locality. The library contribution takes into account the existing sheltered accommodation on the site.
- 3.4 Hertfordshire Biological Records Centre advises that they agree with the findings and conclusions of the bat survey report and recommend conditions regarding suitable lighting, landscaping, the need for another survey should demolition not take place before April 2012 and work proceeding with caution.

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- 3.5 Natural England comments that the Phase 1 Habitat Survey recommends that further protected species surveys should be carried out but these have not been submitted with the application. The standing advice is 'Do not validate the application until the recommended surveys have been received'. No comments have been received regarding the Bat Survey.
- 3.6 The District Engineer advises that the site is not in flood zone 2 or 3 and is not within or near an area shown to be affected by overland flow. There was however a previous historical flood incident due to surface water surcharging from West Road. The developers aspiration to use harvested water butts in order to assist with water use efficiency is acknowledged however in general the recommendations contained in the Council's SFRA document have not been applied to the scheme.
- 3.7 The Hertfordshire Constabulary's Architectural Liaison Officer advises that on the basis that it is the applicant's intension to build the units to comply with the Secured by Design scheme there are no objections to the scheme.
- 3.8 The Landscape Officer confirms that the submitted tree survey is acceptable and there will be no significant impact on existing trees. With regards to the proposed landscaping, the layout is acceptable however additional information should be sought though conditions regarding tree species and specification as well as hard landscape details.
- 3.9 Environmental Health advises that conditions regarding soundproofing/vibration control, construction hours of working, dust, asbestos, bonfires, soil contamination and piling works be included on any planning permission.

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

- 4.1 Bishop's Stortford Town Council objects to the scheme on the grounds of loss of amenity, namely a meeting space for vulnerable elderly people.

#### **5.0 Other Representations**

- 5.1 The application has been advertised by way of press notice, site notice and neighbour notification.
- 5.2 Five letters of representation have been received raising the following concerns:
- Loss of privacy;
  - Lack of information regarding boundary treatment;
  - Loss of facility for elderly residents;

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- Loss of car park currently used by local residents for parking, to access rear of properties and for vehicle turning;
- Insufficient parking;
- Asbestos.

## **6.0 Policy**

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

ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV3	Planning Out Crime – New Development
ENV16	Protected Species
HSG1	Assessment of Unallocated Housing Sites
HSG3	Affordable Housing
HSG4	Affordable Housing Criteria
HSG6	Lifetime Homes
IMP1	Planning Conditions and Obligations
TR2	Access to New Developments
TR7	Car Parking – Standards
TR14	Cycling – Facilities Provision (Residential)

6.2 In addition to the above it is considered that the Supplementary Planning Document on Affordable Housing, the 2008-2011 Housing Strategy and the New Affordable Housing Commissioning Brief (September 2008) are relevant to the consideration of this application. National Planning Policy Statements 3: Housing and 1: Delivering Sustainable Development

## **7.0 Considerations**

7.1 The site is located within the Town of Bishop's Stortford where, in principle, the proposed redevelopment of the site for housing is considered to be appropriate. The main considerations relating to the scheme are therefore:

- The loss of the existing sheltered accommodation;
- The design, scale and layout of the development;
- Any impact on the amenities of neighbouring properties
- Ecology and Landscaping;
- Access, parking and highway safety;

### **The loss of the existing sheltered accommodation**

7.2 The information submitted by the applicant indicates that the existing building is in a poor state of repair and does not meet the modern standards

required of Sheltered Accommodation. Furthermore, the redevelopment of the site for new sheltered accommodation has been fully investigated by the applicant and it has been found to be unviable both in financial terms and in relation to the current Hertfordshire County Council Supporting People Commissioning Statement (2007-2012). I therefore consider that whilst loss of the existing sheltered accommodation is regrettable, the provision of similar accommodation on this site is unviable and unsustainable and the redevelopment of the site for general needs affordable housing is acceptable in this case.

The design, scale and layout of the development

- 7.3 The new dwellings are modest in size and design and utilise materials of construction to reflect and complement the scale and appearance of the existing street scene. The use of asymmetric roofs gives the appearance that the properties are two storeys, albeit slightly taller than surrounding development, whilst enabling the roofspace to be utilised without adversely impacting upon the street scene. They are orientated to face the existing street, with amenity space to the rear following the existing pattern of development. Traditionally properties in Firlands do not have on site parking, although some have developed their front gardens to provide this. The new development has followed this pattern and rather than providing individual parking at the front of each property, parking bays perpendicular to Firlands are proposed which will be accessed directly from the road.
- 7.4 Overall I consider that the layout, design and scale of development is of a high standard of design, reflecting local distinctiveness and is compatible with the structure and layout of the surrounding area as required by ENV1 of the Local Plan.

Any impact on the amenities of neighbouring properties

- 7.5 With regards to neighbour amenity I consider that due to the relationship of the new dwellings to surrounding existing properties which, apart from no.48 Firlands are in excess of 20 metres away, the proposal will not adversely impact on neighbours in terms of loss of light or privacy. Furthermore the new dwellings would not be overbearing nor would they adversely impact on the outlook from neighbouring dwellings. With respect to no. 48 Firlands, I am satisfied that its siting in relation to dwelling H1, the nearest building proposed, coupled with the limited fenestration on its rear elevation, will ensure that there would be no significant impact upon its amenities.
- 7.6 Concerns have been raised regarding the possible loss of access to the rear gardens of properties in The Stewarts through the existing car park. The plans indicate that this access will be retained and properties which

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currently have rear access to their properties will continue to do so, albeit from the road rather than the car park.

#### Ecology and Landscape

- 7.7 Hertfordshire Biological Records Centre has reviewed the submitted bat survey and has advised that no evidence of bats has been found and that the development is acceptable, provided that the recommendations as set out in the report are undertaken.
- 7.8 With regards to landscaping, in line with the Council's Landscape Officer, I am satisfied that the proposed development will not result in the undue loss of any existing landscaping on the site. Furthermore I consider that the proposed hard and soft landscaping is acceptable, subject to the submission of more detailed information via condition.

#### Highways and parking issues

- 7.9 Turning to access, parking and highway safety, County Highways has confirmed that the present proposal does not raise any material concerns regarding Highway impacts and I am therefore satisfied that the scheme is, in this respect, acceptable.
- 7.10 In relation to car parking the application proposes 15 spaces in total for 12 dwellings which equates to 1.25 space per dwelling. In addition 12 secure bicycle parking spaces are proposed.
- 7.11 The Supplementary Planning Document on Vehicle Parking at New Development indicates that the site falls within Zone 4 which requires a maximum of 17 spaces allowing for the 25% reduction. In this case I consider that a reduced provision in parking is acceptable given the location of the site, access to public transport and services as well as the provision of bicycle spaces.

#### Other considerations

- 7.12 All seven units are proposed to be affordable housing and this is welcomed by Officers. All relevant aspects of the provision of affordable housing and its transfer to a Registered Social Landlord and District Council nomination rights can be controlled via the sale of contract and as such a Section 106 planning obligation or condition is not considered necessary.
- 7.13 On the matters relating to financial contributions towards sustainable transport, community facilities, open space, recycling and those provisions requested from the County Planning Obligations Unit, I consider the



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suggested contributions are an appropriate request. They are fairly and reasonably related in scale and kind to the proposed development, which Circulars 11/1995 'Conditions' and 05/2005 'Planning Obligations' state is a material consideration. With regards to the contributions sought for sustainable transport £2500 is sought, £500 per additional car parking space being proposed over and above the number existing. The applicant has agreed to provide these contributions and therefore the proposal accords with Policy IMP1 of the Local Plan and the Council's Supplementary Planning Guidance on Planning Obligations.

#### **8.0 Conclusion**

- 8.1 To conclude for the above reasons, the proposed development of the site complies with all the necessary policies of the Local Plan. It is therefore recommended that subject to the applicant entering into a Section 106 obligation with the Council, planning permission should be granted.