

5b 3/11/0039/RP - Erection of 11 residential dwellings, including 6 x 4 bedroom units, 2 x 3 bedroom units and 3 x 2 bedroom units, with associated landscaping, car parking and private amenity space at Allotment Gardens, Ermine Street, Buntingford, SG9 9AZ for Weston Homes PLC

Date of Receipt: 13.01.2011

Type: Reserved Matters – Major

Parish: BUNTINGFORD

Ward: BUNTINGFORD

RECOMMENDATION:

That reserved matters be **APPROVED** subject to the following conditions:

1. Three Year Time Limit (1T12)
2. Boundary walls and fences (2E07)
3. Approved plans (2E10)
WH131/11/P/05.01, WH131/11/P/10.01, WH131/11/P/25.01,
WH131/11/P/25/02, WH131/11/P/25/03, WH131/11/P/25.04,
WH131/11/P/25.05, WH131/11/P/25/06, WH131/11/P/35/01, 30110R
4. Samples of Materials (2E13)
5. Refuse disposal facilities (2E24)
6. Completion of Roads (3V13)
7. Hard Surfacing (3V21)
8. Tree Retention and Protection (4P05)
9. Hedge Retention and Protection (4P06)
10. Tree/Natural feature protection: fencing (4P07)
11. Tree protection: excavations (4P09)
12. Landscape design proposals (4P12)
a), b), d), e), f), i), j), k), l)
13. Landscape Works Implementation (4P13)

3/11/0039/RP

14. Retention of landscaping (4P21)
15. Construction hours of working – plant and machinery (6N07)

Directives:

1. Other Legislation (01OL)
2. Highway Works (05FC)
3. Outline permission relationship (07OP)
Insert 20 May 2010' '3/09/0101/OP'
4. Street Naming and Numbering (19SN)

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 TR2, TR3, ENV1, ENV2, ENV3, ENV1, ENV16 and PPS1, PPS3 and PPS9. The balance of the considerations having regard to those policies and LPA Ref 3/09/0101/OP is that permission should be granted.

_____ (003911FP.FH)

1.0 Background:

- 1.1 The application site is located at the northern end of Buntingford, within the development boundary for the town, as shown on the attached OS extract. The site is roughly L shaped and is some 0.325 hectares in size.
- 1.2 To the north of the application site are some houses and commercial units within the Park Farm industrial estate. To the south are residential properties; to the west, allotment gardens and to the east, residential properties and open fields. The site itself contains allotment gardens. Trees and established hedgerows bound the site. A public footpath is located directly adjacent to the southern boundary of the site.
- 1.3 Outline planning permission (3/09/0101/OP) was granted on 20 May 2010 for the erection of 11 dwellings on the site. Reserved matters relating to the layout, scale, appearance, access and landscaping of the development have been applied for in this current application.

3/11/0039/RP

- 1.4 The application seeks permission to construct 11 dwellings, as required by Condition 7 of the outline planning permission; 3, two bed dwellings, 2, three bed dwellings and 6, four bed dwellings. The dwellings take the form of a terraced row of four properties and one detached property along the frontage of Ermine Street with a further terrace of three properties and three detached properties to the rear. The dwellings are all two storeys in height and traditional in appearance with pitched roofs, differing roof heights and projecting gables. The plans indicate materials of construction to be facing brickwork and concrete interlocking tiles.
- 1.5 A single access point is proposed from Ermine Street and parking will be a mixture of communal allocated parking spaces, private driveways and garages. In total 28 car parking spaces are proposed. In addition, as required by Condition 10 of the outline planning permission, a vehicular and pedestrian access is proposed through the site to the allotment gardens to the west.
- 1.6 The application submitted includes a supporting Planning Statement, a Habitat Survey, a Lifetime Homes Compliance Analysis, a Topographical Survey and a Tree Survey.

2.0 Site History:

- 2.1 As set out above outline planning permission was granted on 20 May 2010 (LPA Ref: 3/09/0101/OP) for the construction of 11 dwellings on the site which was subject to a Section 106 Agreement which required the provision of replacement allotment gardens on the Allocated Housing Site known as Site 68 - Land east of Bowling Green Lane. The necessary works are currently being undertaken in consultation with Officers in preparation for its new use as allotment gardens.

3.0 Consultation Responses:

- 3.1 The Environment Agency has advised that they do not object to the proposed development. They do however comment that the development is located in an area of water stress and therefore recommend a condition that water efficiency measures be included to ensure the development meets the target for domestic consumption set in the East of England Plan.
- 3.2 Hertfordshire Biological Records Centre and Herts and Middlesex Wildlife Trust advise that the Phase 1 Habitat Survey has identified the site as being suitable for reptiles and recommends that a further survey be undertaken in the Spring. It is recommended that before planning

3/11/0039/RP

permission is granted a further survey needs be undertaken to establish a) whether or not reptiles are present on the site and b) any issues of species protection, mitigation or habitat compensation that may be necessary. Without this information it is not possible to properly consider the potential ecological impact of the development.

3.3 In addition it is advised that no clearance work, including the removal of vegetation should take place during the bird nesting period, which takes place between 1 March and 31 August

3.4 County Highways does not object to the proposed development and has advised that the proposed access is appropriate for the number of dwellings proposed.

3.5 The County Development Unit advises that the County Council seeks to promote sustainable management of waste in the county. Due regard should be had to the appropriate policies in adopted Hertfordshire County Council Waste Local Plan 1999 which include Waste polices 3, 7 and 8.

4.0 Town Council Representations:

4.1 Buntingford Town Council has no objections to the proposals.

5.0 Other Representations:

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

5.2 One letter of representation has been received which raises the following issues:

- Impact on highway safety in area with existing traffic problems;
- Insufficient parking in area with existing on street parking problems;
- Consideration needs to be given to the provision of a second mini roundabout to slow all vehicles down;
- Loss of privacy to no.1 Ermine Street;
- Loss of hedgerow.

6.0 Policy:

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

- TR2 Access to New Developments
- TR7 Car Parking- Standards

3/11/0039/RP

- ENV1 Design and Environmental Quality
- ENV2 Landscaping
- ENV3 Planning Out Crime- New Development
- ENV11 Protection of Existing Hedgerows and Trees
- ENV16 Protected Species

6.2 In addition, the following National policy guidance is relevant:

Planning Policy Statement 1: Delivering Sustainable Development,
Planning Policy Statement 9: Biodiversity and Geological Conservation

7.0 Considerations:

7.1 The principle of residential development on this site has been established by the grant of outline permission in 2010. In considering this application therefore, it is necessary only to consider the detailed aspects of the proposed development including the following:

- Layout, scale and appearance;
- Landscaping;
- Impact on amenities of local residents;
- Access and parking;

Layout scale and appearance

7.2 Turning to the layout, scale and appearance of the new dwellings; the layout of the scheme provides a strong frontage along Ermine Street creating a traditional street scene, with front doors opening onto the existing street. This in my view complements the existing pattern of development on the western side of Ermine Street. The properties to the rear of the site have also been orientated to create a traditional street scene within the development and care has been taken to ensure that there are not any large areas of hardstanding or blank elevations which would detract from the appearance of the development.

7.3 The new dwellings have been designed sensitively taking into account the semi-rural appearance of this end of Buntingford and the sensitive nature of the site, through the use of a traditional design which includes brick detailing, small porch canopies, low eaves heights, projecting gables and differing roof heights. The height of the dwellings have all been limited to two storeys to complement existing residential development in the vicinity which is a mixture of single and two storeys in height. I am therefore satisfied that subject to the imposition of a condition regarding materials of construction that the proposed development will sit comfortably within the landscape.

7.4 Overall, I consider that the layout, design and scale of the 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.

Landscaping

7.5 With regards to landscaping, the proposal does include the removal of a number of trees along the frontage of Ermine Street to enable an appropriate vehicular access and sufficient light for the new properties to be provided. The submitted survey indicates that the trees in question are of low quality and the impact of their removal can be mitigated with new planting.

7.6 In line with the tree survey's recommendations I consider that whilst the loss of any tree is always regrettable, in this case the removal of low quality trees along the frontage of the site is acceptable to ensure a safe vehicular access can be provided and the best layout can be achieved for the site. Furthermore I consider that the proposed hard and soft landscaping is acceptable, subject to the submission of more detailed information via condition.

7.7 The tree survey also identifies a walnut tree located on the northern boundary as being of high quality and recommends measures, including the use of low invasive foundations, to ensure its long term survival and I have included a condition to ensure this takes place.

Impact on amenities of local residents

7.8 With regards to neighbour amenity I consider that, due to the relationship of the new dwellings to surrounding existing development, 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.

7.9 With regards to no. 1 Ermine Street, to the South, whilst I note the concerns raised regarding loss of privacy I consider that, given the distance of some 17 metres between the boundary of no. 1 and the rear elevation of the nearest property proposed and the fact that the development site and no. 1 are separated by a public footpath and significant landscaping which is to be retained, there will not be an undue loss of privacy to warrant refusing the application. With respect to no. 3 Ermine Street to the North, I am satisfied that it's siting in relation to plots 7 and 8, the nearest dwellings proposed, in addition to the lack

3/11/0039/RP

of fenestration on their north facing flank elevations, will ensure that there would be no significant impact upon its amenities.

Access and parking

- 7.10 Turning to access, parking and highway safety; In line with the advice from County Highways I am satisfied that the proposed vehicular access is acceptable and the proposed development will not prejudice highway safety.
- 7.11 With regards to car parking, the application proposes 28 spaces in total which equates to 2.5 spaces per dwelling. The Supplementary Planning Document on Vehicle Parking in New Development indicates that the site falls with Zone 4 which requires a maximum of 27 spaces. The number of parking spaces proposed is broadly in line with this and therefore in this respect the proposed development is acceptable.
- 7.12 I note the concerns raised by residents regarding existing traffic and parking problems in the vicinity. I do not however consider, on the basis that sufficient parking is proposed for the development in line with the Councils standards and it was accepted when granting the outline application that the level of traffic produced by a development of this scale could be accommodated by the existing road network without detriment to existing highway users, that these concerns warrant refusing the application.

Other Considerations

- 7.13 With regards to the comments made by Hertfordshire Biological Records Centre and Herts and Middlesex Wildlife Trust and any impact the development may have on protected species, specifically reptiles and breeding birds this issue was assessed when considering the outline application. Conditions were included in the outline permission which a) required a survey to be undertaken to assess any impact the proposal may have on protected species and any necessary mitigation before the commencement of works and b) limits clearance of the site and any removal of vegetation to outside the bird breeding season. In light of this I consider that it would be unreasonable to refuse the application on the grounds of lack of information and the conditions imposed on the outline planning permission will adequately ensure that the proposed development will not unduly impact on any protected species.

8.0 Conclusion:

- 8.1 In conclusion, having regard to the above considerations, the proposed development is considered to accord with the relevant policies of the

3/11/0039/RP

Local Plan and would provide an appropriate residential development which has regard to the character and appearance of the local area, and would not result in any significant detrimental impacts on the amenities of local residents or highway safety. Accordingly, it is recommended that approval is given to the reserved matters.