

**5j 3/11/0267/FP – Construction of 3 no. detached dwellings, including 1 no. affordable unit at 37 Lower Road, Great Amwell, Ware, SG12 9SZ for Mr Jim Defillipo.**

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**Date of Receipt:** 17.02.2011

**Type:** Full - Minor

**Parish:** GREAT AMWELL

**Ward:** GREAT AMWELL

**RECOMMENDATION:**

That, subject to the applicant or successor in title signing a legal agreement pursuant to S106 of the Town and Country Planning Act 1990 in respect of the following:

- To provide 1 no. unit as affordable housing.

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

1. Three Year Time Limit (1T12)
2. Levels (2E05)
3. Boundary walls and fences (2E07)
4. Approved Plans (2E10 – 20~10.1 B, 20~10.6, 20~10.7)
5. Materials of construction (2E11)
6. The proposed window openings in the first floor northwest elevation of Plot A, and the first floor southeast elevation of Plot C shall be fitted with obscured glass, and shall be permanently retained in that condition.

Reason: To safeguard the privacy of occupiers of the adjoining property, in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

7. Refuse disposal facilities (2E24)
8. Wheel washing facilities (3V25)
9. Landscape design proposals (4P12 - e, i, j, k, l)
10. Landscape works implementation (4P13)

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11. Prior to first occupation of the development hereby permitted space shall be provided within the application site, in accordance with a plan to be submitted to and approved in writing by the Local Planning Authority, to enable vehicles to stand clear of the highway.

Reason: In the interests of highway safety, and in accordance with policies TR2 and TR7 of the East Herts Local Plan Second Review April 2007.

12. Prior to first occupation of the development hereby approved, the amended vehicular access arrangements, including dropped kerbs at each crossover, shall be carried out in accordance with the approved plans.

Reason: To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience.

13. Construction hours of working - plant and machinery (6N07)

#### Directives:

1. Other Legislation (01OL)
2. Street Naming and Numbering (19SN)
3. The presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the Local Planning Authority, and appropriate mitigation measures implemented as approved in writing.

#### 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 SD2, HSG7, GBC1, TR2, TR7, ENV1, ENV2, OSV2, and PPS1, PPS3 and PPS23. The balance of the considerations having regard to those policies is that permission should be granted.

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#### **1.0 Background:**

- 1.1 The application site is shown on the attached OS extract. It comprises

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an existing 1½ storey 8 bed detached dwelling located on a large plot in the built-up area of Great Amwell village. The surrounding area is characterised by a mix of detached dwellings, mostly 1½ storey or 2 storeys in height.

- 1.2 It is proposed to demolish the dwelling, sub-divide the plot and construct 2 no. 3 bed and 1 no. 4 bed detached two storey dwellings in place of the existing dwelling. Consent has previously been granted for the creation of 2 dwellings on the site. However, permission was more recently refused for 3 houses on the grounds of the design of the scheme, but also failure to make provision for affordable housing. This application now attempts to address those issues.

## **2.0 Site History:**

- 2.1 There is an extensive planning history to the site as set out below:

3/10/2136/FP	Construction of 3 no. detached dwellings.	Refused 09-Feb-2011
3/10/1599/FP	Extensions and alterations to existing house to create two detached dwellings.	Approved with Conditions 23-Nov-2010
3/06/1945/FP	Additional access for 2 dwellings.	Approved with Conditions 28-Nov-2006
3/06/1777/FP	Two storey rear extension & single storey rear extension amended scheme.	Approved with Conditions 20-Oct-2006
3/06/1008/FP	Two storey and single storey rear extensions.	Withdrawn by applicant 19-Jul-2006
3/05/2274/FP	Subdivision of property to create two self-contained dwellings.	Approved with Conditions 20-Jan-2006
3/04/1075/FP	Detached garage/store.	Approved with Conditions 08-Jul-2004
3/01/1755/FP	Single storey side extension.	Approved with Conditions 26-Nov-2001
3/96/0432/FP	Proposed side extension with loft conversion.	Approved with Conditions 28-May-1996

**3.0 Consultation Responses:**

- 3.1 The Housing Development Unit advise that they understand there has been some interest from a Housing Association and they would be able to let it to an applicant on the housing register.
- 3.2 County Highways do not wish to restrict the grant of permission subject to conditions requiring dropped kerbs and surfacing. They comment that this latest proposal is acceptable in a highway context. A new vehicle access is required for the middle dwelling as at present it does not benefit from dropped kerbs, but they have no objection to the access being used for vehicles.
- 3.3 Environmental Health recommend consent subject to conditions on construction hours of working, dust, bonfires, contaminated land and refuse disposal facilities.
- 3.4 The Council's Landscape Officer recommends consent. He comments that it is essential that the landscape design/layout to the frontage of the proposed development is in-keeping with the existing street scene and landscape character of the area. The lack of any details for landscaping along the frontage of the site makes it impossible to envisage the appearance of the completed development, so comprehensive landscape conditions are recommended.
- 3.5 No response has been received from Veolia Water or Environmental Services.

**4.0 Parish Council Representations:**

- 4.1 Great Amwell Parish Council consider the proposed to be an overdevelopment of the site that in turn would be out of character with this area of the Parish. Further, the development would have a detrimental impact on road traffic safety in Lower Road due to the increase in traffic movement to/from the site.

**5.0 Other Representations:**

- 5.1 The application has been advertised by way of discretionary site notice and neighbour notification.
- 5.2 1 no. letter of representation has been received from No. 35 Lower Road which can be summarised as follows:
- Concern over disruption and extensive building work;

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- Do not support the inclusion of affordable housing;
- Overlooking from Plot C into kitchen window;
- Impact on value of property;
- 2 houses would be more appropriate for this site and in-keeping with the neighbourhood, than 3.

#### **6.0 Policy:**

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

SD2	Settlement Hierarchy
HSG3	Affordable Housing
HSG4	Affordable Housing Criteria
HSG7	Replacement Dwellings and Infill Housing Development
GBC1	Appropriate Development in the Green Belt
TR2	Access to New Developments
TR7	Car Parking – Standards
TR14	Cycling – Facilities Provision (Residential)
ENV1	Design and Environmental Quality
ENV2	Landscaping
OSV2	Category 2 Villages

6.2 In addition to the above it is considered that Planning Policy Statement 1, (Delivering Sustainable Development), Planning Policy Statement 3 (Housing), and Planning Policy Statement 23 (Planning and Pollution Control) are also considerations in determining this application, along with East Herts Council's 'Affordable Housing and Lifetime Homes' Supplementary Planning Document (SPD).

#### **7.0 Considerations:**

##### Principle of Development

7.1 The site lies within the built-up area of Great Amwell, a Category 2 village, wherein new residential developments are acceptable in principle, in accordance with policy OSV2. Permission has previously been granted for 2 dwellings on this site. Permission was more recently refused for 3 units on design and layout grounds, and a failure to make provision for affordable housing.

##### Affordable Housing

7.2 As the application is for 3 no. dwellings in a Category 2 village, provision should be made for up to 40% affordable housing in accordance with policy HSG3 of the Local Plan, and the Council's

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Affordable Housing Supplementary Planning Document (SPD). A need for affordable housing in Great Amwell was identified in the 2004 Housing Needs Survey, including 5 no. 1 bed rented flats and 9 no. 2 bed houses for shared ownership. The Council's Housing Team have advised that the location of the site is suitable for affordable housing, and that there should be interest from a Housing Association to let the unit on the housing register.

- 7.3 The applicant has now confirmed that one of the 3 bed units would be provided as affordable housing, and an interest has apparently been shown by Riversmead Housing Association. Delivery of this unit would need to be secured through a legal agreement, and would meet the criteria of policies HSG3, HSG4 and the Affordable Housing SPD. Therefore, subject to a signed legal agreement, the application is now considered to be acceptable on these grounds.

#### Scale and Design

- 7.4 The applicant states that the existing dwelling will be extended and altered to provide the 3 units. However, Officers note that very little would remain of the existing building, and the dwellings would therefore amount to new builds. Nonetheless this has no implications for the determination of the application, as there is no policy objection to redevelopment of the site under policy OSV2.
- 7.5 The site lies in an area of mixed residential character predominantly amongst single storey and 1½ storey dwellings, but with two storey dwellings to the northwest of the site (Nos. 41a-61 odds). Permission was also recently granted for a first floor extension to No. 33 to provide a large full two storey detached dwelling (3/09/0178/FP). This application now proposes 3 no. full two storey detached dwellings with two storey eaves.
- 7.6 The land will be sub-divided into 3 parallel plots, with frontages measuring 13m, 9m and 10m respectively. These plot sizes are considered to be in-keeping with the pattern and density of development in the surrounding area and will not represent an overdevelopment of the site. The proposed dwellings will also respect the existing building line. The previously refused application included link garages between each dwelling therefore providing continuous development on site and resulting in the loss of open gaps that characterise the street. The garages have been removed from this application, and gaps of approximately 2-3m will be retained between the buildings, which is considered to be acceptable with regards to the pattern of development in the surrounding area.

- 7.7 The proposed dwellings are of similar height to those recently approved (reference 3/10/1599/FP). Plot A would have the same eaves height and a 0.9m higher ridge than the previously approved house 37 (due to the provision of a fully hipped roof). Plot B would have a 0.6m lower ridge than the approved house 37a, and Plot C would have a 1m lower ridge but 0.2m higher eaves. The dwellings would be positioned at the same distance from the neighbouring boundaries as previously approved. Overall Officers therefore consider the scale of the development to be generally acceptable. The previous application was partly refused on the grounds that house 'a' included a gable end roof and large central gable feature which would have appeared out of keeping with the character of the street. This revised scheme proposes Plot A with a fully hipped roof and front hipped projection, therefore reducing its visual impact in the street.
- 7.8 In terms of detailed design, the dwellings are now proposed to appear more traditional and in-keeping with the semi-rural character of the area, rather than overly grand and 'pastiche' as previously refused. Simple front porches and chimney stacks provide interest in the elevations. The materials are proposed to include render and timber boarding with a tiled roof, which are acceptable in principle. Specification details for these materials would be required by way of condition.
- 7.9 In terms of landscaping, frontage planting would remain in-between the vehicular accesses, and there would be no impact on any significant trees. No objection has been raised by the Landscape Officer, subject to a condition requiring detailed landscaping proposals.

Impact on Neighbour Amenity

- 7.10 The previous application was not refused on impact on neighbour amenity, and this current scheme has been reduced in scale, particularly given the provision of fully hipped roof on Plot A. Although No. 41 is a single storey bungalow, it is not considered that the development will cause significant loss of light or overbearing given the retention of a 4m gap between buildings, and the orientation of the site.
- 7.11 Concerns have been raised over overlooking from Plot C to the kitchen window of No. 35 Lower Road. 2 no. first floor windows are proposed in the first floor of Plot C with 3 no. windows and a door at ground floor level. No harmful overlooking would result from the ground floor windows given boundary screening. However, it is considered reasonable and necessary to require the new upper floor side windows

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to be obscure glazed in order to protect neighbouring amenity. Likewise, this condition should also apply to the first floor en-suite windows in the flank elevation of Plot A.

- 7.12 Other concerns raised by the neighbour at No. 35 are noted. It is acknowledged that the development will result in some disruption to neighbours; however this will only be temporary during construction. A condition is recommended to restrict construction hours of working. A lack of support for the affordable unit is noted; however this is an adopted policy requirement and is considered to be suitable and appropriate in this case. Impact on property values is not a material planning consideration.

#### Parking and Access

- 7.13 There are no highway implications as a result of this development. Sufficient access exists in the form of 3 no. vehicular accesses, although County Highways recommend a condition to require dropped kerbs prior to occupation. Parking space has not been identified on the plans, but it appears that sufficient frontage space would be available for parking; a plan could be required by condition to require further details. Parish Council comments regarding increased traffic movements are noted; however the net increase of two dwellings is not considered to represent a significant increase in vehicular movements. No objection has been raised by County Highways.

### **8.0 Conclusion:**

- 8.1 Overall I consider the amended scale and detailed appearance of the development to be more in-keeping with the character of the area, and acceptable in accordance with policy ENV1.
- 8.2 The application also now makes provision for 33% affordable housing in accordance with policies HSG3 and HSG4, and the Council's Affordable Housing SPD.
- 8.3 The application is therefore recommended for approval subject to a signed legal agreement, and the conditions set out above.