

- 5i (a) 3/11/0996/RP – Construction of three detached houses with associated vehicle access, landscaping and parking following approvals 3/08/0940/OP and 3/11/0377/FN, and;
- (b) 3/11/0997/RP – Construction of two detached houses with associated vehicle access, landscaping and parking following approvals of 3/08/0940/OP and 3/11/0377/FN at 65-67 North Road, Hertford, SG14 1NF for Thinklogic Ltd
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Date of Receipt: (a) 07.06.2011
(b) 07.06.2011

Type: (a) Full – Minor
(b) Full – Minor

Parish: HERTFORD

Ward: HERTFORD – BENGEO

RECOMMENDATION

- a) That planning permission be **GRANTED** for application ref: 3/11/0996/RP subject to the following conditions:
1. Three year time limit (1T121)
 2. Approved plans (2E102; 30P1, 31P3, 32P1, 33P1, 34P2, 35P2, 36P2, 37P1, 38P1, 39P2)
 3. Notwithstanding the details shown on the submitted plans, no development shall take place on the site until revised details of the proposed vehicle access onto North Road have been submitted to, and approved in writing by, the Local Planning Authority. The approved access shall be completed in accordance with the approved details prior to the first occupation of the houses hereby approved.

Reason: To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience to overcome the objection of the Highway Authority in respect of pedestrian flows and as set out in its e-mail to the Local Planning Authority of 8 July 2001 and in accordance with policy TR2 of the East Herts Local Plan Second Review April 2007.
 4. Notwithstanding the details shown on the submitted plans, details of all boundary walls, fences or other means of enclosure to the north-west and south-east site boundaries shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development. All such approved means of enclosure shall be erected prior to the first occupation of any

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dwelling commensurate therewith, and shall thereafter be retained as approved unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of privacy and visual amenity, in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

5. Samples of materials (2E173)
6. No further windows (2E175)
7. Landscape design proposals (4P124; a, c, e, i, j, k, l)
8. Landscape works implementation (4P133)
9. The garages and parking spaces hereby permitted shall be provided prior to the first occupation of the dwellings. Notwithstanding any of the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, the spaces and garages shall be used solely for the benefit of the occupants of the dwellings of which they form part and their visitors and for no other purpose and permanently retained as such thereafter.

Reason: To ensure that the development makes adequate and appropriate provision for on-site parking and manoeuvring of vehicles likely to be associated with its use, in accordance with policies ENV1 and TR7 of the East Herts Local Plan Second Review April 2007

10. No development shall take place until details of implementation, maintenance and management of a sustainable urban drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
 - i. a timetable for its implementation, and
 - ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any

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other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime.

Reason: The site lies within flood zone 1 and the development involves a net increase in impermeable surfacing within the site, and in accordance with policy ENV21 of the East Herts Local Plan Second Review April 2007 and the requirements of national Planning Policy Statement 25 – Development and Flood Risk.

11. The south-east window to the top floor bathroom to the house on Plot 4 shall be obscure-glazed, and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and shall be retained as such unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of the privacy of neighbouring occupiers, in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

12. The roof of the garage to the house on Plot 4 shall not be used as a veranda, balcony or raised platform.

Reason: In the interests of the privacy of neighbouring occupiers, in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

Directives:

1. Other legislation (01OL1)
2. Street naming and numbering (19SN4)
3. Where works are required within the public highway to facilitate vehicle access the highway authority require the construction of such works to be undertaken to their specification and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Eastern Herts Highway Area Office, Hertford House, Meadway Corporate Centre, Rutherford Close, Stevenage, SG1 3HL (T: 01438 757 800) for further information and to determine the necessary procedures.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the

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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, HSG1, HSG7, TR2, TR7, ENV1, ENV2, ENV9, ENV20 and ENV21 and national Planning Policy Statements 3 – Housing, 5 – Planning for the Historic Environment and 25 – Development and Flood Risk. The balance of the considerations having regard to those policies and the previous approvals ref: 3/08/0940/OP and 3/11/0377/FN is that permission should be granted.

b) That planning permission be **GRANTED** for application ref: 3/11/0997/RP subject to the following conditions:

1. Three year time limit (1T121)
2. Approved plans (2E102; 10P1, 11P2, 12P3, 13P2, 14P1, 15, 16P2, 17, 18
3. Notwithstanding the details shown on the submitted plans, no development shall take place on the site until revised details of the proposed means of access to the north west of Plot 2 (accessing the land to the rear of the application site) has been submitted to and approved in writing by the Local Planning Authority. The approved access shall be completed in accordance with those approved details.

Reason: The proposed access indicated on the submitted plans is not acceptable and to ensure the provision of a satisfactory access in the interest of public safety and convenience to overcome the objection of the Highway Authority in respect of pedestrian flows and as set out in its e-mail to the Local Planning Authority of 8 July 2001 and in accordance with policy TR2 of the East Herts Local Plan Second Review April 2007.

4. Notwithstanding the details shown on the submitted plans, details of all boundary walls, fences or other means of enclosure to the north-west, south-west and south-east site boundaries shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development. All such approved means of enclosure shall be erected prior to the first occupation of any dwellings commensurate therewith, and shall thereafter be retained as approved unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of privacy and visual amenity, in

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accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

5. Samples of materials (2E173)
6. No further windows (2E175)
7. Landscape design proposals (4P124; ; a, c, e, i, j, k, l)
8. Landscape works implementation (4P133)
9. The garages and parking spaces hereby permitted shall be provided prior to the first occupation of the dwellings. Notwithstanding any of the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, the spaces and garages shall be used solely for the benefit of the occupants of the dwellings of which they form part and their visitors and for no other purpose and permanently retained as such thereafter.

Reason: To ensure that the development makes adequate and appropriate provision for on-site parking and manoeuvring of vehicles likely to be associated with its use, in accordance with policies ENV1 and TR7 of the East Herts Local Plan Second Review April 2007.

10. No development shall take place until details of the implementation, maintenance and management of a sustainable urban drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
 - i. a timetable for its implementation, and
 - ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime.

Reason: The site lies within flood zone 1 and the development involves a net increase in impermeable surfacing within the site,

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and in accordance with policy ENV21 of the East Herts Local Plan Second Review April 2007 and the requirements of national Planning Policy Statement 25 – Development and Flood Risk.

11. Before first occupation of the approved development the new vehicle accesses to the two dwellings shall be completed in accordance with approved plans nos. 12P3 and 17.

Reason: To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience and in accordance with policy TR2 of the East Herts Local Plan Second Review April 2007.

12. Before the new accesses are first brought into use a triangular vision splay shall be provided on each side of the new access and shall measure 2.0m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 2.0m measured into the site at right angles to the same line along the side of the new access drive from the back edge of the footway. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the existing highway and the proposed accesses to safeguard the safe and convenient passage of pedestrians and other highway users in accordance with policy TR2 of the East Herts Local Plan Second Review April 2007.

13. The turning spaces for vehicles illustrated on the approved plan 12P3 shall be constructed prior to the first occupation of the approved dwellings, and shall therefore be retained in accordance with those approved details.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles onto the highway in accordance with policy TR2 of the East Herts Local Plan Second Review April 2007.

14. Prior to the commencement of the development hereby permitted all materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas shall be approved in writing by the Local Planning Authority.

Reason: To ensure that the access is constructed to the

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specification of the Highway Authority and approval of the Local Planning Authority and to avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

Directives:

1. Other legislation (01OL1)
2. Street naming and numbering (19SN4)
3. Where works are required within the public highway to facilitate vehicle access the highway authority require the construction of such works to be undertaken to their specification and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Eastern Herts Highway Area Office, Hertford House, Meadway Corporate Centre, Rutherford Close, Stevenage, SG1 3HL (T: 01438 757 800) for further information and to determine the necessary procedures.

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, HSG1, HSG7, TR2, TR7, ENV1, ENV2, ENV9, ENV20 and ENV21 and national Planning Policy Statements 3 – Housing, 5 – Planning for the Historic Environment and 25 – Development and Flood Risk. The balance of the considerations having regard to those policies and the previous approvals ref: 3/08/0940/OP and 3/11/0377/FN is that permission should be granted.

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1.0 Background:

- 1.1 The application sites are shown on the attached OS extracts. Overall, the sites comprise two detached dwellinghouses, located on North Road, a short distance from Hertford town centre and Hertford North mainline rail station.
- 1.2 The area is primarily residential in character, with a variety of styles and sizes of dwelling in the immediate vicinity of the site.

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- 1.3 The two plots are each approximately seventy metres deep, a depth only matched in the immediate area by the adjacent properties at nos. 69 and 71. The properties at 61 and 63 occupy plots of approximately forty-five metres in depth. The properties at 53, 55, 57 and 59 all occupy plots of approximately fifteen metres deep. Those four properties occupy a total area of land comparable to the single plot occupied by no. 65, as can be seen on the OS extract.
- 1.4 There is a historic milestone outside the site, on the public highway adjacent to the access between nos. 67 and 69. This has not been listed.
- 1.5 There are presently two applications under consideration by the Council. These are reserved matters applications seeking to discharge the detailed matters relating to the outline permission recently approved by the Committee in May of this year.
- 1.6 Application 3/11/0996/RP seeks consent for three detached houses to the rear of the site, and also an access from North Road. Application 3/11/0997/RP seeks consent for two detached houses at the front of the site, facing North Road, as well as an access onto North Road.
- 1.7 The application has been referred to committee for a decision as requested when the applications for outline permissions on the site (3/05/1219/OP, 3/08/0940/OP and 3/11/0377/FN) were determined by committee in September 2005, August 2008 and May 2011 respectively.
- 1.8 The outline consents granted by the committee in 2008 and earlier this year established the acceptability of the principle of redeveloping the site for five detached houses in the approximate layout proposed in these applications. All matters were reserved in the outline applications, and therefore all detailed matters, including but not restricted to the siting, height and appearance of the houses and the location of windows and the access onto North Road are the subject of these applications.

2.0 Site History:

- 2.1 As stated, outline planning permission has already been granted for 5 dwellings. An appeal against imposed planning conditions was allowed. The sequence of applications is as follows:
 1. 3/05/0761/OP – Five dwellinghouses – Withdrawn June 2005
 2. 3/05/1219/OP – Five dwellinghouses – Refused September 2005 – Appeal dismissed December 2006

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3. 3/08/0940/OP – Five dwellinghouses – Approved August 2008 – Appeal against onerous conditions allowed June 2009
4. 3/10/1726/OP – Demolition of houses and outbuildings and erection of five houses, access road and landscaping – Withdrawn
5. 3/11/0377/FN – Five dwellinghouses – Approved May 2011

3.0 Consultation Responses:

3.1 The following response applies equally to both applications:

3.2 The County Archaeologist has commented that there is a historic milestone outside the site, and that it should be protected in line with the condition on the recent outline permission

3.3 The following responses relate only to application 3/11/0996/RP:

3.4 Environmental Health have no objection to the proposed development

3.5 Property Services have noted that the site is within flood zone 1. As the development would involve an increase in the impermeable areas on the site, sustainable drainage measures should be employed.

3.6 Highways have objected to the proposals on the basis that they would be detrimental to the access to the adjacent property at 69, which shares part of the access with 67. In addition, the proposed access onto North Road is considered to be too large for the site, taking priority away from pedestrians where a simpler dropped kerb would be more appropriate.

3.7 The following responses relates only to application 3/11/0997/RP:

3.8 Highways have confirmed that they have no objections to the proposal, subject to conditions relating to the proposed accesses, vision splays, hard surfacing, the retention of the proposed parking and the provision of turning spaces on site.

4.0 Town Council Representations:

4.1 With regard to the application for three houses to the rear of the site (3/11/0996/RP), the Council expressed concerns regarding the increase in traffic movements, the dangerous access to North Road and the steep driveway. In addition, the three houses were considered to be overbearing to the existing bungalow. The Council considered that the proposed houses were not unattractive, but did not bear any resemblance to existing neighbouring properties. The Council also

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considered that the “green ambience of North Road should be protected as far as possible.”

- 4.2 With regard to the application for two houses (3/11/0997/RP) the Council raised an objection. They consider that the properties are a long way forward with driveways at the front, thus eroding the green ambience of the road. Concerns also expressed about pedestrian safety on a poorly lit and narrow section of footpath, and it was suggested that a single point of access for the site as a whole would be preferable with planting across the front of the site. The Town Council considers the proposal to be unacceptable on grounds of design, ambience, safety and density.

5.0 Other Representations:

- 5.1 The applications have been advertised by way of discretionary site notices and neighbour notification.
- 5.2 Letters of representation have been received from the occupants of two local properties. The following concerns have been raised:
1. Appropriateness of density of development
 2. Potential problems arising from proposed vehicle parking and access arrangements
 3. Potential disruption during construction from noise, the potential of destabilising earth movements and security risks arising from criminals targeting the construction site
 4. Request that the proposed 1.8m fence be increased to 2.2m
 5. Development out of keeping with the character of the surrounding area; Multiple external finishes proposed e.g. brick, render, cladding, aluminium windows and wooden doors, timber screening
- 5.3 The consultation period on application 3/11/0997/RP had yet to expire at the time of this report. Any further representations received shall be reported to members at the committee meeting.

6.0 Policy:

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

SD2	Settlement Hierarchy
HSG1	Assessment of sites not allocated in the Local Plan
HSG7	Replacement Dwellings and Infill Housing Development
TR2	Access to New Developments

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TR7	Car Parking – Standards
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV9	Withdrawal of Domestic Permitted Development Rights
ENV20	Groundwater Protection
ENV21	Surface Water Drainage

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

Planning Policy Statement 3: Housing

Planning Policy Statement 5: Planning for the Historic Environment

7.0 Considerations:

7.1 The principle of redeveloping this site with five dwellings has been established previously by the outline permissions granted by the Council in 2008 and May of this year. The density of the approved development would be 26 dwellings per hectare. This is considered appropriate in this location.

7.2 The developer has proposed five detached houses of contemporary appearance. The design of the houses has consciously been selected in contrast to the predominantly early-mid 20th century character of the surrounding area. Two detached houses would be positioned at the front of the site, with direct vehicle access to North Road from each plot. A third house would be located to the rear of these two dwellings, and would be set at ninety degrees from the dwellings with the front of the property facing north-west rather than north-east. Two further dwellings would be located at the rear of the site, with the fronts of the houses facing north-east. Vehicle access for these three dwellings would be via a shared access along the north-west of the site, entering and existing North Road directly.

7.3 The main consideration in the determination of these applications is therefore considered to be the detailed design and scale, their relationship to neighbouring properties and access/highway issues.

Detailed design and scale

7.4 Hertford to the west of the town centre comprises a predominantly 20th century progression of architectural styles and features. The applicant has highlighted the extensive Georgian influences to be found along the east end of North Road, and the generally significantly later development found further to the west, especially beyond Hertford North station.

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- 7.5 Officers consider that there is no predominant architectural character to be found in the immediate vicinity of the application site, or in the wider area. Properties are typically two storeys in height with pitched roofs, but exceptions exist in the area. Indeed, the existing houses on the site are already a significant departure from the two houses to either side of the site (61 and 63, 69 and 71) which are two-storey, pitched roof houses of comparatively similar character. No. 65 is set across two levels, with the conservatory at the rear of the property being elevated to the roof level of the main part of the house. No. 67 is 1.5 storey in height, with rooms in the roofspace.
- 7.6 There is some degree of consistency in the architectural style of the wider area. This arises from consistent application of the contemporary architectural styles at the time that construction was taking place. It appears that the development of the land west of the town centre took place in a generally outward/westward direction. North Road is unusual in the area in that its buildings lacks a distinctive cohesive character, suggesting that plots were developed intermittently and in limited numbers. Beyond North Road, for example on North Road Avenue, Fordwich Rise and Fordwich Close, houses are of a much more uniform appearance.
- 7.7 The proposed houses would employ a mix of materials, with the predominant external appearance a mix of brickwork to the lower floors and render and grey cladding to the upper floors. In addition, timber would be used for external doors, garage doors and louvres.
- 7.8 The houses would each be unique in appearance, although plots 1 and 2 at the front of the site would be very similar in appearance from the front. These would be comparable to the semi-detached pair of dwellings at 61 and 63. Of particular note, these two houses have been designed as much as possible to line through with nos. 61, 63, 69 and 71 so that eaves height, ridgelines and floor levels would be relatively consistent between the existing and proposed houses.
- 7.9 The houses would be viewed in the context of one another. The enclosure within a single site would relate the five houses more closely to each other than the adjacent properties of less modern design.
- 7.10 The three houses at the rear of the plot would be more prominent when viewed from neighbouring sites due to their increased height. However, they have been designed in relation to the relative heights of neighbouring properties on other sites not necessarily fronting North Road and would typically be viewed more in relation to those properties than the properties facing onto North Road. The visibility of these

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dwellings from North Road would be limited, and when seen from the road they would be viewed as a background to the more prominent houses at the front of the site, to which they would relate in terms of design, scale and appearance.

- 7.11 The proposed dwellings would be of contemporary design. They would be similar in scale to neighbouring dwellings, which would form a particular visual relationship between the proposed and existing houses from 61-71 which would share common architectural features such as eaves height, ridgeline and horizontal window positioning to the North Road elevation. This is demonstrated by the submitted street elevation drawings (nos. 15 and 16P2)
- 7.12 The development of North Road has been carried out in the architectural styles contemporary to the time in which construction has been carried out. The applications propose to continue that practise with a modern design that departs from the established overall 20th century character of surrounding properties.
- 7.13 Officers consider this to be an acceptable approach. The site is outside the Conservation Area and the character is already flexible enough to encompass a significant variance in architectural styles. The development would therefore be in accordance with policies ENV1(b) and HSG7(b) of the Local Plan, and guidance in national PPS3 – Housing.

Relationship to Neighbouring Dwellings

- 7.14 The proposed houses have been designed in an attempt to limit the impact on neighbouring properties. Nevertheless, it is inevitable that the intensification of the use of the site will result in some impact on the amenities of neighbouring occupiers.
- 7.15 Plots 1 and 2 would be sited somewhat further forward of no. 63, the nearest house to the new pair of properties. The houses would be to the north-west of 63, which is on a much higher plot and which would have a slightly higher ridgeline than the proposed houses. The development would not, in your officers' view, materially impact on the light to that house, and outlook would not be significantly affected by the development.
- 7.16 No. 69 lies to the north-west of the application site, roughly level with the proposed houses and with its rear wall in line with the rear walls of the houses. It would be separated from the nearest proposed house by around 7 metres on plot 2 with the flank elevations facing one another.

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A bay window to plot 2's staircase would face the side of no. 69, but as this would not serve a habitable room it is not considered any material loss of privacy would result. No. 69 is situated on a higher plot, with the ground and first-floor level with the upper ground and first-floor of the proposed houses, and therefore there would not be an unacceptable loss of privacy from the proposed houses to the garden of 69.

- 7.17 The rearmost pair of the five houses would be level with The Knoll, both in terms of ridge height and being sited in a line with the house. The Knoll lies to the rear of nos. 61 and 63 and is accessed via Royston Close to the south. The proposed house on plot 4, which would be closest to The Knoll, would have a single flank window above ground floor level. This would serve the main bathroom, and would be fitted with obscured glass to preserve the privacy of both sets of occupiers.
- 7.18 The proposed house on Plot 4 would have a garage with an office on the roof. Access to the roof of the garage would be restricted by privacy screens at the top of the staircase, but a further condition is considered necessary to prevent the use of the roof as a balcony/amenity area.
- 7.19 The proposed house on Plot 5 would be adjacent to the boundary with the rear garden of no. 69. It would be approximately 38m from the rear of that house. The property has a garden of approximately 49m. The separation between the houses would be sufficient that there would not be any undue loss of privacy to the occupiers of 69. The proposed house would not have any flank windows, and while there would be some overlooking from the front windows, officers consider this would not be a materially different arrangement than already exists. It is also noted that the properties at 3 and 4 North Road Gardens are set at right angles to 69 and 71 at a much shorter distance than would be the case with the proposed house.
- 7.20 The property at Arrowhead lies to the rear of plots 4 and 5. Arrowhead lies close to the shared boundary, and would be approximately 9m from the rear walls of the proposed houses. The houses would be of similar heights, with the ridgeline of Arrowhead approximately 0.5m below those of the proposed houses.
- 7.21 Arrowhead is a dilapidated property that appears to be vacant. It was the subject of two applications for redevelopment in 2005, but no permission was granted. Since then, the applicant has indicated that he has agreed in principle to purchase the property, subject to obtaining planning permission for the redevelopment of the site. A further application for the redevelopment of the site is therefore expected in the future, but the decision on these applications must be taken on the

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basis of the existing situation.

- 7.22 Arrowhead is a bungalow with its flank wall facing the shared boundary with the application site. The flank wall does not appear to have any windows facing the boundary, although the wall has been overgrown in part so a window may be present beneath the growth. However, even in the event that a window was present in this elevation, it would provide limited amenity value to the occupiers of the property. Officers do not consider that the proposed development would materially affect the amenities of the occupiers, whether or not a window is present.
- 7.23 Plot 3 would be a single detached house, set at right angles to the other four houses. It would face towards no. 69 to the north-west, with the front elevation approximately 8.5m from the boundary. The top floor front windows would serve a bathroom and dressing area, and it is proposed to fit a privacy screen across this window. The first floor window would serve a landing and one bedroom, and the extent of overlooking would be sufficiently limited that officers consider the relationship to be acceptable.
- 7.24 The rear elevation would look towards the boundary with the rear garden of 63 at approximately 9.5m separation. The applicant has noted that these are comparable separation distances as exist elsewhere in the immediate area, with nos. 3 and 4 North Road Avenue, for example, being around 7m from the boundary to 71 North Road.
- 7.25 A similar relationship exists between that grouping of properties and between the proposed house and no. 63. The first and second floor rear windows to plot 3 serve two bedrooms and a bathroom. The bathroom window would not result in significant loss of privacy. The bedroom windows would be recessed by approximately 0.5m behind a wall projecting between the windows and no. 63. As the property would only directly look onto the bottom end of the garden, and at a distance of more than 9 metres, this relationship is considered to be acceptable.
- 7.26 The properties have been designed so that they would not detrimentally impact on the amenities of the other properties on the development. For example, the house proposed at plot 3 has a long roof slope to the north-east elevation in order to avoid a large, overbearing expanse of flank wall being presented to the occupants of the proposed houses on plots 1 and 2. The houses are separated at sufficient distance from each other that they would not result in significant privacy issues from overlooking to each others' gardens, beyond that which results from the normal overlooking arising between neighbouring houses.

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7.27 It is therefore considered that the development would not result in the overshadowing of, or material harm to the amenities of, neighbouring occupiers. The development would therefore be in accordance with policies ENV1(d) and HSG7(a) of the Local Plan.

Highways and Access Issues

7.28 Highways officers from the County Council have objected to the proposal on the basis of the proposed access, which is considered to be harmful to the existing access to no. 69 North Road and detrimental to the flow of pedestrians.

7.29 At present, no. 69 has two crossovers to North Road, one is a shared access with no. 67 and the other is independent. The proposed development would remove access to the shared crossover, resulting in a sub-standard access arrangement to that property as the remaining access does not enable vehicles to turn within the site. The Highway Authority is of the view that this is detrimental to highway safety requiring vehicles to reverse into the North Road carriageway. The applicant points to a similar situation at 61, 63 and 71 and confirms that, in any event, the occupants at no. 69 do not have the legal right of access to the current shared access.

7.30 In addition, the proposal would result in a form of access that would take priority away from pedestrians by virtue of its scale. The site is in close proximity to Hertford North station, as well as being within walking distance of two schools. Such an arrangement is viewed as unsatisfactory, and excessive for the provision of access to the three properties to the rear of the site.

7.31 At the time of preparing this report, discussions are ongoing between the applicant and the Highways Authority with a view to resolving this second element. The results of these negotiations will be reported to the Committee. It is considered that the scale of the access can be acceptably resolved. This leaves the matter of the impact on highway safety by virtue of the changed arrangements for no. 69. Whilst the issue of right of access is a private one, the implication is a matter of public interest. However the circumstances that will arise are not dissimilar to others that already occur on the road and are considered to be acceptable.

7.32 With regard to parking at the site, plots 1 and 2, at the front of the site, would have private, gated accesses from North Road. Both plots would allow a 5m deep area of free-standing in front of the gates, sufficient to allow a family car to move off the road while the gate is opened or

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closed. Both plots offer on-site parking for two cars.

- 7.33 Plots 3, 4 and 5 would be reached via the new access road. Plot 4 would have a double garage, plot 5 would have a single garage and undercroft while plot 3 would have a single garage. Informal parking would also be available in the courtyard. The parking provision for the development is therefore nine designated spaces, plus the additional parking for several cars in the courtyard. The Council's parking standards indicate that a maximum of between 11 and 15 spaces should be provided for a development of this scale in this location, and the overall provision would be in accordance with this.

Green Character of North Road

- 7.34 The applicants have noted that the site has an extensive area of hardstanding and walls at street level. The neighbouring properties at 61 and 63 were granted planning permission for a street-level parking area and retaining wall, which has left the frontage of those properties noticeably bare.
- 7.35 The development would include planting to the front garden areas of plots 1 and 2, as well as landscaping along the public frontage in between the pavement to North Road and the front boundaries to the properties.
- 7.36 Landscaping conditions are attached to the recommended decisions. With regard to the development of plots 1 and 2 appropriate landscaping to help the development fit into North Road would be expected to allow the discharge of the condition.
- 7.37 The present landscaping to the front of the site largely comprises shrubbery at a fairly low level with some evergreen shrubs. Some felling appears to have been recently carried out, with freshly cut tree stumps to the front of no. 67. A single larger tree stands to the front of no. 65. This is of limited visual amenity with a thin, bare trunk and a sparse canopy of limited spread. Although the plots have a greener frontage than is present at 61-63, the present arrangement does not contribute significantly to the overall green character of the street scene, with the frontage to 67 being particularly bare.
- 7.38 Careful landscaping of the North Road frontage should allow for a significantly more positive contribution to the wider streetscene. This would be of considerable benefit to the character of the area, and the new planting would be protected for a period of five years, requiring replacement in the event of any loss in that time.

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7.39 The overall improvement to the green character of North Road resulting from the development would therefore be in accordance with Local Plan policy ENV2.

Other considerations

7.40 The historic milestone referred to by the County Archaeologist is protected by virtue of a condition on the outline consent (3/11/0377/FN), requiring the preservation of the milestone during construction.

7.41 Property Services have recommended that sustainable drainage measures be incorporated into the scheme. The developer has committed to providing appropriate sustainable drainage measures, and this would be required by conditions on the approval.

7.42 The density of the development was considered as part of the determination of the outline consents on the application, and was considered to be acceptable for this site.

7.43 Disturbance and disruption from the construction process, including the any possible destabilisation of adjacent land, is not a material planning consideration which should be given great weight. Appropriate measures are in place under the Building Regulations and Environmental Health legislation to address these concerns.

7.44 The occupiers of one neighbouring property have suggested that the boundary fence between their property and the application site be raised from 1.8m to 2.2m to ensure their privacy. However 1.8m fencing is regularly implemented for privacy purposes between properties and is considered acceptable in this case.

8.0 Conclusion:

8.1 Outline planning permission has previously been granted by the Committee for the redevelopment of this site to provide five houses. The principle of development has therefore been established.

8.2 The proposals involve five detached houses of modern design. Officers consider that the design of the houses would be acceptable in this location, as there is no overriding architectural character present in this section of North Road, and the proposals would replace two houses that are visually out of keeping with the scale and alignment of properties on the neighbouring sites.

8.3 The houses have been carefully designed to be in keeping with the

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general scale of the neighbouring properties and the proposed layout would result in limited impact on the amenities of neighbouring occupiers.

- 8.4 For these reasons it is considered that the development would be acceptable in this location, and subject to conditions should be granted planning permission.