DELEGATED FILE NOTE

CASE OFFICER: ...Jo Cousins.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00624/FP	Erection of 1 x 3 bedroom detached house and double garage with associated works (as a variation of planning permission 17/02623/1 granted on 01.02.2018).	High Peak London Road Barkway Royston Hertfordshire SG8 8EY

Submitted Plan Nos

Location Plan; 23-17.4A; 07-18-4

1.0 Policies

LP6 Rural Areas Beyond the Green Belt

LP26	Housing Proposals
LP55	Car Parking Standards
LP57	Residential Guidelines and Standards
SECT3	Supporting a Prosperous Rural Economy
SECT6	Delivering Wide Choice High Quality Home
SECT7	Requiring Good Design
SECT11	Conserving and enhancing natural environ
SPDDS	Design Supplementary Planning Document
SPDVP	Vehicle Parking at New Development
XD1	Sustainable Design
XD3	Protecting Living Conditions
XD4	Air Quality
XT2	Parking

XSP2	Settlement Hierarchy
XSP1	Sustainable Development in NH

2.0 Site History

2.1 Planning permission has been granted to subdivide the curtilage of High Peak by the introduction of two dwellings to the side with access off London Road. This has recently been revised by a further application which reduces the depth of the plots to allow for this application.
2.2 Permission granted under reference 17/02623/1 for one three bedroom detached dwelling.
2.3 Permission granted for extensions to High Peak and a detached garage with access from Nuthampstead Road.
2.4 Related application 16/01870/1. New dwelling refused but subsequently allowed on appeal on land at Barkway Golf Club immediately adjoining this site.

3.0 Representations

3.1 **Barkway Parish Council** – raise no objections.

3.2 **Hertfordshire Highways** - do not wish to restrict the grant of permission subject to the imposition of highway informatives.

3.3 **Environmental Protection (Land Contamination)** - not consulted and on nearby cases have state that records indicate a low likelihood of environmental risk from ground contamination. We have discharged conditions on other development at High Peak (part (a) only) with the EHO concluding that there is a low potential risk to the proposed end use but recommended that the remainder of condition 11 be undischarged until the outcome of the contamination part of the intrusive site investigation. On balance I therefore conclude that a conditions should still be applied in this instance.

4.0 Planning Considerations

4.1 Site & Surroundings

4.1.1 The application site is located on the southern side of Nuthampstead Road approx 60m to the east of the junction with London Road. The proposed plot would be 28m deep with a 17m frontage to Nuthampstead Road and currently forms part of the curtilage of High Peak containing a garage and the vehicular access. The proposed plot would be to the rear of dwellings on London Road and to the west of a secondary access to Howletts Farm on the opposite side of the road. Nuthampstead Road has no pedestrian foot way and has a rural character being beyond the settlement of Barkway.

4.2 Proposal

4.2.1 The application has been submitted to allow for some minor amendments to the scheme as follows:-
1. Single storey addition to the east side elevation – 2m wide by 5.5m deep and maintaining a 2m gap to the side boundary. This element would have a lean-to roof and would be finished in slate and brick.
2. Dwelling moved back by one metre on the site to leave a 12m deep rear garden and to allow for easier parking to the front following the introduction of gates.
3. Width of dwelling increased by 500mm resulting in it being closer to the boundary with High Peak but still maintains a gap of 2.7m.
3. Entrance gates set back by 5.5m from the carriageway.
4. Repositioning and alterations to first floor side windows which are shown to be obscure glazed.

The proposals maintain a three bedroom detached dwelling with a detached double garage and store with a bin area to the rear. The vehicular access would utilise the existing access to the rear of High Peak. The proposed dwelling would be approx. 8.5m high at it's ridge and would be of a design with a pitched roof and front gable feature. The accommodation would be provided over two floors and includes a main bathroom and an en-suite shower room. The detached garage element would be single storey only with a pitched roof and scales at 6m wide by 5.8m deep and had a weatherboard finish.
See details in Anite.

4.3 **Key Issues**

4.3.1 The principle of a dwelling on this site has been established under reference 17/02623/1 where it was concluded that on balance, and in the light of the recent history of applications in this area that sufficient justification existed to allow a dwelling here. The proposal is outside the settlement but would not occasion harm to the character and appearance of the area, the amenities of any residential property and is considered sustainable.

The detailed argument in favour of a dwelling has not changed and the key issues now centre on the appropriateness of the property as amended on this site.

4.3.2 Visual Impact
The differences between the extant permission and the now proposed dwelling would not have a significant impact on the appearance of the dwelling within its surroundings.
The new single storey side extension would be off the boundary and set back from the front elevation to be subservient to the main building. The repositioning of the dwelling on the site and the slight increase in width would not have any material impact on the visual amenity of the area in my view.

4.3.3 Residential Amenity
None of the differences between the extant permission and proposed dwelling would impact adversely upon the relationship between the proposed dwelling and neighbouring properties in terms of living conditions.
The dwelling is set off the boundary with its immediate neighbours at High Peak, moving 500mm closer, and Baltana moving one metre closer. In my view the amenities that they currently enjoy would not be affected by the revisions to the development. I conclude that the impact upon any nearby residents, including the plots adjacent to High Peak yet to be constructed would be minimal here.

4.3.4 Highways and Access
The Highway Authority have not raised an objection and recommend the imposition of highway informatives to safeguard and inform. The application as amended utilises the existing vehicular access to High Peak and sets gates back within the site. The proposed

arrangement would not have any impact upon the local highway and would satisfy the reasonable need of the proposed dwelling.

4.3.5 Conditions
No additional conditions are considered to be required over and above those imposed on the extant permission. All conditions on the extant permission have been reviewed, and included as appropriate. Informatives have been included where appropriate.

4.4 **Conclusion**

4.4.1 Affording substantial weight to the extant permission for a three bedroom dwelling, it is considered that the proposal would be of good quality, sustainable design which would maintain the character of the area, respect the living conditions of adjoining premises and host sufficient parking commensurate to the size and use of the resultant buildings. Therefore, the proposal accords with the policy provisions within the local development framework. In the absence of any material or sustainable grounds for objection I have framed a favourable recommendation accordingly.

5.0 **Recommendation**

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

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.Reason:To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. Details and/or samples of materials to be used on all external elevations and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site.Reason:To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A to E of Part 1 of Schedule 2 to the Order, (or any subsequent Statutory Instrument whichrevokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the Local Planning Authority.Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the area.

5. (a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary

environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.(b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevantreceptors, and;(ii) The results from the application of an appropriate risk assessment methodology(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced untila Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local PlanningAuthority.(d) This site shall not be occupied, or brought into use, until:(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.(e) Any contamination, other than that reported by virtue of condition (a) and (b), encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible;a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site.Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters.

6. Prior to occupation, the property shall incorporate an Electric Vehicle (EV) ready domestic charging point.Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality.

7. Prior to the commencement of the development hereby approved, landscape details shall be submitted to and approved in writing by the Local Planning Authority and shall include the following:a) which, if any, of the existing vegetation is to be removed and which is to be retained;b) any new trees, shrubs, hedges and grassed areas to be planted, together with the species proposed and the size and density of planting;c) the materials of the proposed hard surfaces;The landscaping scheme shall be carried out as approved and shall be implemented before the first planting season following either the first occupation of any of the buildings or the completion of the development,whichever is the sooner.Reason: To ensure the submitted details are sufficiently comprehensive toenable proper consideration to be given to the appearance of the completeddevelopment.

8. The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during thenext planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.Reason:To

safeguard and enhance the appearance of the completed development.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:

AN) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspxor by telephoning 0300 1234047. AN) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website http://www.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047.

Signed  Simon Ellis Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 17 April 2018	