DELEGATED FILE NOTE

CASE OFFICER: ...Tom Donovan.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00349/FP	Erection of 3 x 2 bed detached dwellings with associated road and landscaping following demolition of existing house and outbuildings	White Cottage Park Lane Kimpton Hitchin Hertfordshire SG4 8EG

Submitted Plan Nos

5353/01A 5354/10D 5354/07C 5354/08A 5354/09C

1.0 Policies

1.1 **North Hertfordshire District Local Plan No.2 with Alterations**

Policy 5 – Excluded Villages
Policy 26 – Housing Proposals
Policy 55 - Car Parking Standards
Policy 57 – Residential Guidelines and Standards

1.2 **National Planning Policy Framework.**

Paragraph 14 - Presumption in Favour of Sustainable Development.
Paragraph 17 - Core Planning Principles.
Section 1 - Delivering Sustainable Development.
Section 6 - Delivering a wide choice of high quality homes.
Section 7 - Requiring good design.
Section 11 - Conserving and enhancing the natural environment

1.3 **Emerging Local Plan 2011-2031 (Approved by Full Council 11th April 2017).**

Policy SP1 - Sustainable Development in North Hertfordshire
Policy SP2 - Settlement hierarchy.
Policy SP8 - Housing
Policy T2 - Parking
Policy D1 - Sustainable design
Policy D3 - Protecting Living Conditions
Policy NE1 - Landscape.

1.4 **Supplementary Planning Document**

Vehicle Parking at New Development September 2011

2.0 **Site History**

2.1 Planning permission was granted in November 2017 for an earlier iteration of the proposed scheme.

3.0 **Representations**

3.1 **Public Notice/ Local residents**
Mr Walsh, 6 Parkfield Crescent
"As per the previous, original, application by Mr & Mrs Thompson in 2017, I object on the grounds that House 1 has a window facing my property which is going to directly have sight lines over and into my previously un-overlooked house and garden. I find this loss of privacy to be uncalled for and note that the orientation of House 1 could be altered to provide north and south aspects to the windows.

The density of the project also raises questions, with it being easy to see (2 parking spaces per 3 bedroom house will mean a potential 4 cars per house on a daily basis plus visitors vehicles) a situation whereby parking becomes problematic to not only the occupiers of the site but also those living along Park Lane.

I also voice concerns about the unsympathetic design of all 3 houses, and the lack of environmentally favourable features. This is an opportunity to carry forward the local brick designs of older buildings in the village, and to lead the way in ensuring the houses are efficient and plus energy by equipping them with above standard insulation, solar systems, and smart control technologies so that they produce a surplus of electricity.

Additionally, it is disappointing that the applicants have decided upon plans which minimise impact upon themselves through the siting and layout of the project and places it squarely on others, most noticeable myself and the owners of Pheasants. This is not very community spirited."

3.2 **Kimpton Parish Council**
No comment received.

3.3 **Hertfordshire County Council Highways**
No objection subject to recommended conditions.

3.4 **Environmental Protection/ Air Quality**
No objection subject to recommended conditions.

3.5 **Herts & Middlesex Wildlife Trust**
No objection subject to recommended condition.

3.6 **Herts Ecology**
No objection.

3.7 **Waste Management**
Comments received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 'White Cottage' is a single detached bungalow that occupies a rectangular-shaped plot and is located to the top end of Park Lane just within the bounds of the village boundary.

4.2 **Proposal**

4.2.1 Erection of three-two bed detached dwellings with associated road and landscaping following the demolition of the existing house and outbuildings. The scheme remains largely as that granted although the exact size and detailing of the proposed dwellings has been tweaked.

4.3 **Key Issues**

4.3.1 The key issues for consideration relate to the following:
--The principle of new housing in this location;
--Sustainability;
--Design/visual impact;
--Standard of accommodation;
--Impact on neighbouring properties;
--Ecological impact;

--Environmental protection;
--Highway safety and car parking.

4.3.2 Principle

The principle of the development has previously been accepted by the Council through application 17/01540/1 which was granted 01 November 2017. The scheme before me here represents a slightly altered scheme to that previously permitted although I consider that the proposed development would maintain and enhance the character of the village whilst also respecting the Green Belt boundary that surrounds the village. The proposal is therefore compliant with Policy 5 of the Saved Local Plan.

4.3.3 Sustainability

Paragraph 7 of the NPPF sets out the three aspects to sustainable development: economic, social and environmental. Paragraph 8 goes on to state that:

"These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions."

In my view, Kimpton is a sustainable location which benefits from a number of local services. The proposal would likely bring benefits to the settlement in economic and social regards whilst I accept that environmental benefits would be neutral at best. On balance it is my view that the proposed development would be sustainable development.

4.3.4 Design/visual impact

Kimpton is like many of the villages in North Herts in that it features a historic centre based around the High Street that is supplemented by modern residential development. The application site is located to the north of the High Street via Park Lane and would be situated on a generous plot upon which a single dwelling is currently located. The northern boundary of the application also acts as the boundary between the edge of the village and the Green Belt area beyond.

4.3.5 In terms of the general design and layout I have no objection to the proposal. There is no defining character to the design of the properties in the immediate vicinity of the site although I find that the scale of the buildings is commensurate with the other detached properties situated in this part of Park Lane.

4.3.6 It is noted that the design of the proposed dwellings has been tweaked slightly from the previously permitted scheme with gable projections on each of the proposed properties being added or enlarged. However, the general form and design of each of the properties would remain in keeping with the original scheme and the wider character of the area.

4.3.7 Standard of accommodation

Each of the proposed dwellings would provide an acceptable standard of living accommodation with a suitable amount of residential amenity land and parking. It is noted that units 2 & 3 would be situated in quite close proximity to each other and this might cause an issue with inter-looking between windows on the front of each property. However, I do not consider that any such impact would be severe and

should therefore be balanced against the overall acceptability of the proposals.

4.3.8 Impact on neighbouring properties

As with the preceding scheme I do not consider that the proposal would have a significant impact on the living conditions of any of the neighbouring properties. It is noted that the layout of windows would offer some potential views towards properties in the vicinity and in particular 'Pheasants'. However, I do not consider that this or any other property would be unduly affected by the proposals.

4.3.9 Ecology

It has previously been established that bats are present at the site and, as such, adequate mitigation and a European Protected Species licence will be required. However, following consultation with Hertfordshire Ecology, I am satisfied that the mitigation proposed is suitable and that the tests of the *Conservation of Habitats and Species Regulations 2017* are satisfied. The recommended mitigation will be secured by condition.

4.3.10 Environmental Protection

NHDC Environmental Protection Team have been consulted on the proposals. There is no objection to the scheme subject to recommended conditions relating contaminated land and air quality.

4.3.11 Highway safety

The Highway Authority have confirmed that there is no objection to the proposal on highway safety grounds and have recommended a number of conditions.

4.3.12 Car parking

Each proposed dwelling would be served by an adequate number of car parking spaces.

4.4 **Conclusion**

4.4.1 In the absence of material planning reasons to the contrary it is my view that planning permission should be **GRANTED.**

5.0 **Recommendation**

5.1 That planning permission is **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. (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 relevant receptors, 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 until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.(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.

4. Prior to occupation, each residential 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.

5. Prior to first occupation the development hereby permitted shall not be brought into use until the proposed access has been constructed, the existing access has been closed, and the verge has been reinstated to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction. Reason: In the interests of highway safety and amenity.

6. The proposed access hereby permitted shall not be brought into use until it has been hard-surfaced for the first 5.5 metres. Reason: To prevent loose material from passing onto the public highway which may be detrimental to highway safety.

7. Before the access is first brought into use, vehicle to vehicle visibility splays of 2.4

metres by 13 metres to the south direction and 2.4 metres by 20 metres to the north direction shall be provided and permanently maintained. Within which, there shall be no obstruction to visibility between 600 mm and 2.0 metres above the carriageway level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway. Reason: To provide adequate visibility for drivers entering and leaving the site.

8. The gradient of the access shall not be steeper than 1 in 20 for the first 6.0 metres from the edge of the carriageway. Reason: To ensure a vehicle is approximately level before being driven off and on to the highway.

9. The access shall be a minimum of 2.75 metres wide. Reason: To facilitate the free and safe flow of other traffic on the highway and the safety and convenience of pedestrians and people with a disability.

10. Any gates provided shall be set back a minimum of 5.5 metres from the edge of carriageway and shall open inwards to the site Reason: To allow a vehicle to wait clear of the carriageway or footway while the gates are being opened and closed.

11. The proposed development shall be carried out in accordance with the recommendations set out at paragraph 4.3 of the report prepared by Cherryfield Ecology, dated 01/09/2017, unless otherwise agreed in writing by the Local Planning Authority.Reason: To ensure that the habitat and interests of protected species are safeguarded having regard to relevant planning legislation, as set out at paragraph 1 of the above report.

12. 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.

13. The approved details of landscaping shown on approved drawing 5354/10D 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. 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 the next 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 and the visual amenity of the locality.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A, B, and C of Part 1 of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, 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.

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:

Informatives1) EV Charging Point Specification:Each charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.Cable and circuitry ratings should be of adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco developments)o A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed termination point within a garage or an accessible enclosed termination point for future connection to an external charge point.o The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF).o If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.o A list of authorised installers (for the Government's Electric Vehicle Homecharge Scheme) can be found at https://www.gov.uk/government/organisations/office-for-low-emission-vehicles2) Contaminated LandThe Environmental Protection Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on www.north-herts.gov.uk by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.3) Highway InformativeWorks to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication Roads in Hertfordshire Highway Design Guide. Before proceeding with the proposed development, the applicant shall contact hertsdirect@hertscc.gov.uk or for information use the HCC website www.hertsdirect.org. or call on 0300 1234 047 to obtain the requirements for a section 278 agreement for the associated road works and reinforcement works to the adjacent culvert and drainage ditch as part of the development. This should be carried out prior to any development work is carried out.4) Demolition and construction phaseDuring the demolition and construction phase the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to. During the demolition and construction no activities should take place outside the following hours: Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00 hours and Sundays and Bank Holidays: no work at any time. Prior to the commencement of demolition of the existing buildings, a survey should be undertaken in order to identify the presence of asbestos containing materials. Any asbestos containing materials should be handled and disposed of appropriately. Where necessary this should include the use of licensed contractors and waste disposal sites

licensed to receive asbestos.5) European Protected Species licenceThe applicant is reminded that a European Protected Species (EPS) licence is required prior to any works which may affect the protected species which it is recognised are present.

Signed  Tom Rea Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 10 April 2018	