



Land rear of 38 Heathfield, Royston (revised scheme)

Planning Statement

June 2024

1.0 Introduction

- 1.1 This Planning Statement accompanies a full planning application submission in relation to the erection of a new dwelling on land to the rear of No.38 Heathfield in Royston. The Statement reviews the site and surrounding context, takes into account relevant planning history relating to a recent appeal decision at the site for a new dwelling, and assesses the proposed scheme under planning policy considerations.
- 1.2 Included with this application submission are the following supporting documents:
- Accompanying letter
 - Planning application forms and Certificate C
 - Location plan
 - Existing and proposed layouts
 - Existing floor plans and elevations
 - Proposed plans and elevations
 - Site sections
 - Planning Statement
 - Aboricultural Impact Assessment
 - Landscape plan
 - Biodiversity Net Gain calculation and report
 - Appeal decision at land rear of No.38 Heathfield (PINs reference APP/X1925/W/23/3326023)

2.0 Site Context and Proposed Development

- 2.1 The site to the rear of 38 Heathfield is located within the built-up area of Royston, comprising a garden to an existing detached bungalow. This parcel of land backs onto Green Drift, a residential estate located to the north of Heathfield. There is an existing access to No.38 from Heathfield.
- 2.2 The general character along Heathfield comprises detached properties, that back onto Green Drift. To the west of the application site there is an exception to the general building line fronting Heathfield to the west of the application site, where a detached property at 40 Heathfield sits behind a smaller bungalow, known as The Cottage (40A Heathfield). The neighbouring property at No.40 does however share its vehicular access onto Heathfield with The Cottage. This means that No.40 continues to back onto Green Drift with fencing and landscaping along the roadside.
- 2.3 The proposal to the rear of No.38 Heathfield in this application, seeks to replicate the principles of the layout of the next door property at No.40 Heathfield. The proposed dwelling in this application will front southwards and back onto Green Drift, in the same way as No.40 Heathfield.

- 2.4 The proposed dwelling to the rear of No.38 Heathfield will provide 3 bedrooms with a GIA of 189 sq m.
- 2.5 A parking area will be provided in front of the new dwelling for at least 2 No. vehicles and driveway is proposed to the western side of the existing property at No.38 by demolishing the existing attached garage. This will provide driveway access to both the existing and new dwellings from Heathfield.
- 2.6 The existing access will be retained in its current location and width. It should be noted that the driveway within the site has been realigned further away from the western boundary of the site and the amount of hardstanding proposed for turning and parking for both existing dwelling and proposed dwelling has been significantly reduced, in comparison to the amount of hardstanding proposed in the previous appeal scheme.
- 2.7 A private garden area will be retained for the existing bungalow at No.38, and the proposed dwelling will have its own private garden backing onto Green Drift, in the same way as the neighbouring property to the west.
- 2.8 Certificate C has been submitted with the application. This is because Heathfield is a private road and the red line of the application site for the new dwelling includes Heathfield through to a point at which the site connects to the public highway. Whilst notice has been served on the owner of No.38 Heathfield, it is not known who is the freehold owner of the private road, although the owner of No.38 Heathfield does have a legal right of access along this route to the public highway. As such, in this instance Certificate C has been submitted with the planning application.

3.0 Relevant Planning History

- 3.1 A full planning application for a new dwelling at this site was submitted to the Council in April 2023 under LPA reference 23/00830/FP. Further to the refusal of planning permission by the Council in June 2023, an appeal was lodged and subsequently dismissed on 9th April 2024 (PINs reference APP/X1925/W/23/3326023).
- 3.2 A copy of this appeal decision letter is included with this current application submission and the comments raised by the appeal inspector in the decision letter is a significant material consideration in determining this current appeal.
- 3.3 The appeal inspector highlighted that the main issue of consideration for the appeal was the effect on the character and appearance of the area.
- 3.4 It was noted by the inspector that the existing dwelling would screen much of the new dwelling. (Paragraph 3).
- 3.5 It was also highlighted that the limited preception of the existing dwelling to the rear of the neighbouring property at number 40 (in a similar position as the proposed

dwelling to the rear of no.38) is due in part to the landscaping within the front garden of the No.38 and along the side boundary between the two properties. (Paragraph 4).

3.6 The inspector did raise a particular issue that a tree constraints/protection plan had not been provided with the application/appeal. Without this information the inspector considered that the moving of the driveway within the appeal site westwards would result in at least one of the substantial trees being lost, as well as another tree to the front of the site for parking and turning (Paragraph 5).

3.7 With no clear information to demonstrate what would be retained and whether any new planting was proposed, it appeared to the inspector that there would be a significant amount of vegetation lost as a result of the proposed works.

3.8 The inspector then commented in paragraph 7:

The landscape setting of these properties is crucial with regard to maintaining the existing character of the area. From the information presented and my findings during my visit, it would appear likely that the frontage vegetation and the side vegetation would be significantly reduced and the revised alignment of the access would prevent or restrict meaningful replacement planting. In the absence of clear evidence to the contrary in this regard, it is likely that the proposal would increase the prominence of the neighbouring rear property which is already out of character. It would also result in greater exposure of the dwelling proposed.

3.9 The inspector also concluded in paragraph 7:

Even if it could be demonstrated that existing vegetation would be retained, the scale of the new parking area to the front of the existing property; the new driveway; and the combined driveways and parking areas of the two neighbours to the west, would result in a considerable expanse of surfacing with more limited planting, to the detriment of the general landscape setting. This represents poor design in this particular context.

3.10 It was therefore for these reasons that the proposal would result in harm to the character and appearance of the area.

3.11 Whilst the appeal inspector dismissed the appeal for this reason, it should be noted that in paragraph 9 the inspector comments about the proposed new dwelling as follows:

Much has been made of the dormer bungalow to the rear of number 40 which was permitted in 1999. I do not have the details of the policies that were in place at that time but in any event, I must consider the current proposal on the basis of the current policies. That dwelling, although appearing at odds with the surroundings, currently has a relatively limited wider impact given the scale of development to the frontage plot and the retained landscaping, particularly within and adjacent to, the appeal

property. Its presence does not suggest that similar developments would not erode the existing positive characteristics of the area.

- 3.12 The conclusion of the appeal inspector was therefore not to object to the new dwelling in principle, taking into account the accessible location. The inspector also gave considerable weight in favour of the proposal in terms delivering a new dwelling in the built-up area, providing social and economic benefits and contributions during construction and from occupants of the new dwelling, as well as the environmental benefits incorporated into the design of the new dwelling. (Paragraph 10).

- 3.13 Paragraph 11 of the decision letter concludes:

Whilst I have had full regard to the benefits of this proposal, the information submitted does not demonstrate that the development overall, would not result in considerable harm to the character and appearance of the area. It would result in more surfacing, less landscaping and a greater perception of uncharacteristic in-depth development. This environmental harm would also represent poor design in this context. I conclude that the matters in support of the proposal, including the lack of local objections, are not sufficient to outweigh my concerns. I therefore dismiss the appeal.

- 3.14 The main contributing factors given by the inspector to dismissing the appeal was based on the amount surfacing proposed and the loss of landscaping, would result in a “greater perception” of the development proposed. Whilst the inspector refers to the development as being “uncharacteristic in-depth”, this does not mean that there is an objection in principle to development at the rear and for the reasons set out in the appeal letter. It is the applicant’s interpretation of the appeal decision that if a revised scheme addresses the hardsurfacing, landscape and preception issues raised by the inspector, then the objections raised could be overcome.

- 3.15 This revised application therefore seeks to overcome these specific concerns raised by the appeal inspector, thus resulting in an acceptable form of development that would be supported by policies SP9 and D1 of the Adopted Local Plan for the authority, as well as the NPPF 2023 that requires development to function well and add to the overall quality of the area.

- 3.16 An Arboricultural Impact Assessment has been prepared by Tracy Clarke Consultancy and included with this application. Through undertaking a tree survey and this tree specialist involvement in the design process, the proposed works will not result in the loss of any existing trees on-site.

- 3.17 Taking on board the tree survey and report that has been prepared, the access to the site from Heathfield will be retained in its current position and the driveway to the rear of the property has been moved eastwards away from the existing boundary trees. This realignment of the driveway and retention of the access in its current position will also allow for a larger area for new landscaping at the front of the property. It will also ensure that the proposed driveway at No.38 will be separated by

existing tree and new landscaping from the driveway that leads up to the existing dwelling to the rear of No.40.

- 3.18 The amount of hardsurfacing shown on the proposed site layout plan has also been reduced in area. There is parking proposed at the front of the existing dwelling at No.38, but it is a much reduced area of hardstanding providing space for two cars. Again, this reduced amount of hardstanding results in a larger area of soft landscaping at the front of the applications site.
- 3.19 A landscape plan has been prepared by Matt Lee Landscape Architect showing existing trees to be retained, new soft landscape planting and hardsurface materials to be used.
- 3.20 The overall effect of this work and amendments to the scheme that has been undertaken by specialist consultants and incorporated into the design, will result in a much softer, more landscaped and less hardsurfaced frontage to the property and proposed development.
- 3.21 The preception of both the existing dwelling to the rear of No.40 and the proposed new dwelling to the rear of No.38, will therefore be significantly less than would have been the case from the appeal scheme. On this basis and taking into account the positive considerations of the scheme outlined by the appeal inspector, it is considered the proposed development in this revised scheme is compliant and supported by Policies SP9 and D1 of the Adopted Local Plan and the NPPF 2023.

4.0 Planning Policy Design Guidance

- 4.1 The Council has adopted the new Local Plan 2011-2031 on 8th November 2022 and replaces the previous saved 2007 policies.
- 4.2 The application site is located within the built-up area of Royston, as such, under Local Plan policies there is not an objection in principle to the proposed development in this application.
- 4.3 The Council also do not have a planning policy that makes specific reference to “backland development”. As such, the principle of the form and layout of development in this application is considered acceptable, subject to the assessment of the scheme under other relevant development control planning policies.
- 4.4 The new Local Plan sets out the following planning policy considerations for this development:
- 4.5 *Policy SP9: Design and sustainability* – This policy requires good design to be a key aspect of sustainable development and highlights the Council will support new development where it is well designed and located and responds positively to its local context.

- 4.6 It also highlights that the Council will adopt the Government's technical standards for the size of new homes, water efficiency and, in specified circumstances, accessibility, and directs consideration of schemes to the Council's Design SPD.
- 4.7 The Council's 2011 Design SPD provides guidance on considerations that need to be taken into in the design of a scheme. Paragraphs 88 to 98 are particularly relevant and reflect on: Appearance, Layout, Urban Grain, Enclosures, Building Lines and Active Frontages.
- 4.8 This proposed application proposes a similar located and laid out property to this existing neighbouring property at No.40 Heathfield. The impact on the character and appearance of the area in this application in terms of built form and layout would therefore be the similar. The proposed new bungalow to the rear of No.38 Heathfield would continue to maintain the occurrence of built form in this location as an "interval", that is similar to the location and orientation of No.40 Heathfield, with no change to the boundary with Green Drift, which is not itself harmful to the character and appearance of the area.
- 4.9 The proposed new bungalow will have a good sized private rear garden and the design of the new property is one and half storeys (rooms in the roof with rooflights), which would be in-keeping with the existing dwelling at No.40 to the west of the site. The pair of detached chalet bungalows (the application site and at No.40 Heathfield), which would be orientated in the same direction facing Heathfield, would not result in a development that would be harmful to the street scene of Green Drift. This aspect of the scheme was not a concern raised by the appeal inspector to the dismissed appeal at No.38.
- 4.10 The SPD sets out the Council's design guidance. It is not prescriptive in setting out standards but provides more general guidance. Of particular note, is that the SPD does highlight an emphasis towards high quality and sustainable development. It is considered that the design, form and appearance of the proposed new dwelling will achieve these requirements, along with the use of good quality materials in the construction of the dwelling and the sensitive use of landscaping and tree planting. The new dwelling will have a contemporary/traditional appearance with a pitched slate roof, black vertical and horizontal timber cladding, and black aluminium framed windows and doors.
- 4.11 It is therefore considered the proposal represents a high-quality form and appearance of development in line with the requirements of Adopted Local Plan Policy SP9 and guidance contained with the Council's Design SPD.
- 4.12 *Policy SP12: Green Infrastructure, biodiversity and landscape* – This policy seeks to protect, enhance and manage green infrastructure network and seek opportunities to create new green infrastructure. It also requires biodiversity networks to be protected and enhanced.

- 4.13 As stated in section 3 of the Planning Statement and further to involvement of a tree specialist and landscape consultant in the design of the revised scheme, this proposed application does not result in the loss of any trees on site, and a landscape scheme has been prepared for the site and this application. Not only will this enhance biodiversity, but it will maintain the landscaped view of the site from Heathfield and strengthen the landscaped edge along this section of Green Drift, compliant with Adopted Local Plan policy SP12.
- 4.14 *Policy HS5: Accessible and adaptable housing* – This policy requires at least 50% of homes to be built to M4(2) Accessible and Adaptable standard, and schemes of 10 or more affordable units, 10% shall be built to M4(3) wheelchair user standard. As this scheme is for one new house there is not a requirement to provide a M4(3) wheelchair user property. However, the scheme will be designed to M4(2) Accessible and Adaptable standards, compliant with Adopted Local Plan policy HS5.
- 4.15 *Policy D1: Sustainable design* – This policy lists a number of opportunities that need to be taken into account in designing schemes, including:
- i. create or enhance public realm;
 - ii. optimise the potential of the site by incorporating Sustainable Drainage Systems (SuDS);
 - iii. reduce energy consumption and waste;
 - iv. retain existing vegetation and propose appropriate new planting;
 - v. maximise accessibility, legibility and connectivity;
 - vi. future proof for changes in technology and lifestyle;
 - vii. design-out opportunities for crime and anti-social behaviour; and
 - viii. minimise the visual impact of street furniture and parking provision.

Parts c. and d. of this policy also further emphasis the need to comply with the Council's Design SPD and for the development to meet or exceed national space standards and the additional optional water efficiency standards. This application will provide a 3 bed dwelling with a GIA of 189 sq m, compliant with the national internal space standards. A copy of the proposed floor plans is on the following page for reference. The scheme will also comply with current Building Regulations that provide for current sustainable standards applied to new build development. Adopted Local Plan Policy D1 will therefore be complied with.

- 4.16 *Policy D3: Protecting living conditions* - This policy seeks to protect against development having a harmful impact on living conditions, providing spacious 3 bed properties, with gardens sizes of 205 sq m for both proposed and existing dwellings at 38 Heathfield. Consideration has also been given to protecting neighbours' amenities and privacy, through providing adequate distance between the proposed new dwelling and No.38 Heathfield. The proposed first floor rooflights in the new dwelling facing 38 Heathfield will also be high level and to a landing, bathroom and ensuite, with a cill height of 1.7m. The bathroom and ensuite rooflights will be obscure glazed. An extract of the section plan submitted with the application is shown below. The front to back distance of 16.1m between the properties as shown on the section plan;

screening by a 1.8m high close boarded fence along their adjoining boundary; and, proposed high level rooflights with the bathroom and ensuite obscure glazed, will ensure residents of both properties will have an acceptable level of privacy and amenity and the proposed development is compliant with the requirements of Policy D3.

4.17 *Policy NE1: Landscape* – Sets out how the Council will seek to ensure that development does not have a detrimental impact on the appearance of the immediate surroundings and landscape character. This application does not result in the loss of landscaping, and it is proposed that new tree and landscape planting will be provided at the front of the site and along the rear boundary of the site with Green Drift. As such, the proposed development is compliant with Policy NE1.

4.18 *Policy NEx: Biodiversity and geological sites* – This policy states that planning permission will only be granted for development proposals that appropriately protect, enhance and manage biodiversity. It is proposed through this scheme to include new planting of trees and landscaping. A Biodiversity Net Gain Assessment and metric calculation has been prepared for the site and included with the application. The BNG Assessment highlights a net loss of -0.31 habitat units, equivalent to a net loss of -64.72%. As the site is already landscaped, there are no off-site compensation land available to the applicant. It is therefore proposed that in order to meet the +10% requirement, an off-site payment of credits will be required, which could be covered by planning condition in terms of confirming proof of purchase. The BNG Assessment concludes on this point:

The assessment includes an example of the minimum amount of off-site habitat creation required to ensure the Development delivers an overall net gain of +10%. This would entail the creation of at least 0.26 units of individual trees to resolve the trading loss resulting from the removal of two medium sized trees. An additional 0.10 units of any habitat would then be required to achieve a +10% gain. This could be achieved by planting 29 trees offsite; alternatively, 0.26 individual tree units could be purchased, along with 0.10 units of any habitat type, from an off-site BNG unit provider.

4.19 *Policy NE8: Sustainable drainage systems* – This policy requires the most appropriate sustainable drainage solution is used taking into account technical, viability and design issues to reduce the risk of surface water flooding, enhance biodiversity, water quality and provide amenity benefits.

4.20 *Policy NE10: Water conservation and wastewater infrastructure* – This policy sets out requirements for complying with water environment and framework directives and requires adequate foul water treatment and disposal to exist or provided in time to serve the development.

4.21 The applicant would have no objection to planning conditions being imposed that ensured details of drainage and water conservation were agreed prior to the commencement of works to ensure the most suitable form of drainage is provided for the scheme.

- 4.22 *Policy T2: Parking* – Policy T2 sets out the need to provide parking for residential developments in accordance with the minimum standards set out in Appendix 4 of the Plan.
- 4.23 *Appendix 4: Car Parking Standards* – This sets out a minimum of 1 space per 1 bed dwellings and 2 spaces for 2+ beds, with 1 secure covered cycle space.
- 4.24 This planning application proposes at least 2 parking spaces for the proposed new dwelling and will retain at least 2 parking spaces for the existing bungalow in compliance with Adopted Local Plan Policy T2 and Appendix 3.

5.0 Conclusion

- 5.1 This Statement has set out the planning considerations of the development for the new bungalow to the rear of No.38 Heathfield.
- 5.2 The recent appeal decision at the application site is a significant material consideration. This Statement has highlighted the concerns raised by the appeal inspector to the loss of trees and the amount of hardstanding that would have resulted a greater perception of both the existing dwelling to the rear of No. 40 and proposed dwelling to the rear of No.38, the effect of which would be harmful to the character and appearance of the area.
- 5.3 The revised application has therefore sought to address these specific criticisms by the appeal inspector through involving a tree specialist and landscape consultant to inform the design of the scheme. The result of this input has been to retain the access into the site in its current position; retain all of the existing trees on-site; add additional landscaping; and, a reduction in the amount of hardstanding. The effect on the perception of the new dwelling and existing dwelling to the rear of No.40 would therefore be much lesser impact than the appeal scheme, and it is therefore considered the objections raised by the appeal inspector are overcome in this revised application.
- 5.4 It is also a significant material consideration that the positive attributes of the scheme including the delivery a new dwelling in a sustainable urban location, providing social and economic benefits and contributions during construction and from occupants of the new dwelling, as well as the environmental benefits incorporated into the design of the new dwelling, should be given considerable weight in favour of granting planning permission for the proposal.
- 5.5 Overall, the proposed development is compliant with the Council's Local Plan policies and guidance contained with the Council's Design SPD, and as such, planning permission should be granted for this development.

