DELEGATED FILE NOTE

CASE OFFICER: ...Sam Dicocco.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/01262/FP	Erection of one 2-bed bungalow including new vehicular access off West Avenue.	Land Adjacent To 1 West Avenue Baldock Hertfordshire SG7 5AX

Submitted Plan Nos

PL01 PL02

1.0 Policies

LP8	Development in Towns

LP55	Car Parking Standards
LP57	Residential Guidelines and Standards
SECT6	Delivering Wide Choice High Quality Home
SECT7	Requiring Good Design
SPDVP	Vehicle Parking at New Development
XD1	Sustainable Design
XD3	Protecting Living Conditions
XT2	Parking

2.0 **Site History**

2.1 14/02125/1 - Erection of 1 x 3 bedroom dwelling with 2 associated parking spaces and new vehicular access onto Norton Road and ancillary works (as amended by plans NH/H 003B, 004B, 005B, 006B, 007B, 008B received 24/09/2014) – Conditional Permission 10/10/2014

3.0 **Representations**

3.1 Hertfordshire County Council as Highways Authority – No objection subject to conditions

3.2 North Hertfordshire District Council Environmental Heath Land Contamination and Air Quality – No objection subject to conditions

3.3 North Hertfordshire District Council Environmental Heath Noise and Nuisances – No response.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site lies within the settlement of Baldock. The site is located on the corner of West Avenue and Norton Road. The site currently contains a building of two storey appearance, albeit smaller in height than the surrounding two storey dwellings, tucked tight to the corner of Norton Road and We Avenue. The site also contains a large tree adjacent to Norton Road. The site is currently enclosed by a 1.8m close boarded fence. The sites topography is such that the land slopes up both from Norton Road northwards, and from West Avenue eastwards.

4.1.2 The sites surroundings are residential in nature. The surrounding dwellings are two storey in nature showing a mix of external materials.

4.2 **Proposal**

4.2.1 The application seeks planning permission for the erection of a two bedroom bungalow. The bungalow dwelling would host pitched gabled roofs of differing ridge height. The proposed bungalow would be located close to the east boundary of the site. The vehicular entrance would be from West Avenue, and the dwelling would front West Avenue.

4.3 **Key Issues**

4.3.1 The site lies within the settlement of Baldock. As such, the site is considered sustainable and appropriate for development to meet the majority of the development needs of the District in accordance with Policy 8 of the Saved Local Plan.

4.3.2 Considering the quality and contribution of the existing site to the character and quality of the surrounding area, the proposed dwelling would serve to improve and reinforce the residential character. While there some evidence of a building line along Norton Road and West Avenue, any contribution of the building lines to the character of the area is broken by the existing siting and positioning of the electrical sub station within the plot. It is not considered that the vehicular access from West Avenue would disrupt the character or environment of the existing area. The proposed site layout indicates provision for the storage of bin receptacles on site, and a condition for further details of a bin store would be considered to meet the test of conditions set out within the National Planning Policy Framework in order to preserve the character of the sites surroundings.

4.3.3 The dwelling has been deliberately designed as a bungalow, contrary to the nature of the two storey surroundings, in order to minimise the impact of any built form on the living conditions of adjoining premises. Notwithstanding this contrary height and scale, it is not considered that the bungalow style of the dwelling would harm any existing character of the sites surroundings.

4.3.4 For the most part, the proposed materials would be in-keeping with the character of the surrounding area. One feature of the external materials proposed, cedral boarding in violet blue, could present an incongruous feature to the area. The information provided does not indicate where the two different external materials would be located. It is considered that this information would be required to assess the level of impact of the proposed materials on the character of the area. It is considered that a condition requiring the submission of sample materials and a materials schedule/proposed elevations with annotation would mitigate any potential impact, making the proposed

development acceptable. Such a condition would meet the tests of conditions laid out within paragraph 203-206 of the National Planning Policy Framework.

4.3.5 By reason of the siting, size and scale of the proposed bungalow, as well as the topography of the site and its surroundings, it is not considered that material harm would result to the living conditions of adjoining occupiers in terms of loss of light or undue dominance. Furthermore, boundary treatments between properties would limit any potential overlooking into neighbouring premises from the proposed ground floor fenestrations proposed. It is noted that boundary details have not been provided within this application. It is considered that such details could reasonably be requested by way of condition.

4.3.6 The details provided within the application do not detail the existing and proposed floor levels and finished floor levels of the proposed building. These details are considered to be reasonably required prior to the commencement of the proposed dwelling if this application were to be approved.

4.3.7 The layout of the proposed bungalow is such that a decent level of privacy would be afforded to the immediate amenity space as well as living spaces in the property despite the proximity of two storey residential dwellings. The internal space and layout of rooms within the proposed property would exceed the Technical housing standards – nationally described space standard, and the private amenity space within the site would meet the reasonable expectations of future occupiers. Following a site visit, factoring in the expired previous permission for the residential development of the site, as well as the proximity of existing dwellings, it is not considered that the electricity sub-station would harm the living conditions of any future occupiers of the proposed dwelling.

4.3.8 It is considered that the proposed site layout (PL01) would provide an adequate level of landscaping to preserve the character of the sites surroundings in terms of landscape features. Notwithstanding this, more information is required to ensure that the existing tree can be adequately preserved (tree protection plan) and that the landscaping proposed would enhance the character of the site and its contribution to the sites surroundings. It is considered that conditions could be imposed to secure these details.

4.3.9 The provision of two on-site parking spaces would meet the requirements in line with applicable policies and supplementary design guidance in regards to vehicle parking. Due to the topography of the site, it is considered important that existing and finished floor levels and gradients of the driveway and parking spaces are provided to ensure no harm to the occupiers of adjoining premises in terms of outlook and to ensure that the spaces and access are usable. While the parking would be adjacent to No.1 West Avenue, by reason of the low speed of users of the driveway and parking, it is not considered that material harm would result to the occupiers of adjoining premises in terms of noise.

4.3.10 In accordance with the above, and subject to conditions, it is considered that the proposed residential development would represent a sustainable form of development.

4.4 **Conclusion**

4.4.1 The proposed dwelling would be of good quality sustainable design which would provide limited economic benefits of employment and use of local shops and services, limited social benefits of the provision of a dwelling supporting local needs, and preserve the local environment. The development would maintain the character of the sites surroundings and respect the living conditions of the occupiers of adjoining

premises. As a result, the proposal complies with the policy provisions of the development plan.

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, including annotated elevations showing positioning, 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. Before the commencement of any other works on the site, trees to be retained shall be protected by the erection of temporary chestnut paling or chain link fencing of a minimum height of 1.2 metres on a scaffolding framework, located at the appropriate minimum distance from the tree trunk in accordance with Section 4.6 of BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations, unless in any particular case the Local Planning Authority agrees to dispense with this requirement. The fencing shall be maintained intact for the duration of all engineering and building works. No building materials shall be stacked or mixed within 10 metres of the tree. No fires shall be lit where flames could extend to within 5 metres of the foliage, and no notices shall be attached to trees.

   Reason:To prevent damage to or destruction of trees to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality.

5. Notwithstanding the approved plans, further landscaping details shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the dwelling hereby approved. The landscape details approved by way of this condition shall be implemented by the end of the first planting season post-occupation of the dwelling hereby approved. The landscape details to be submitted by way of this condition shall include the following :

a) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting;

b) the location and type of any new walls, fences or other means of enclosure and any hardscaping proposed;

c) existing and proposed site plans indicating floor levels and showing the finished floor levels of the dwelling hereby approved;

d) details of any earthworks proposed.

Reason:To ensure the submitted details are sufficiently comprehensive to enable proper consideration to be be given to the appearance of the completed development.

6. Details of a bin store to be provided in the location set on the Proposed Site Layout drawing numbered PL01 to incentivise its use and the discreet storage of bin receptacles shall be submitted to and approved in writing by the Local Planning Authority. The details approved by way of this condition shall be implemented prior to the occupation of the dwelling hereby approved.

Reason:To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area.

7. No development shall commence until full details (in the form of scaled plans and/or written specifications) have been submitted and approved in writing by the Local Planning Authority to illustrate the following:

o Surface water drainage. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
o Details of surface materials to be used for the driveway.
o A tracking plan to demonstrate that vehicles are able to turn around on site and egress to the highway in forward gear.
o Gradient of no greater than 1:10 for the proposed access driveway.
o Relocated position of street lighting column.

The details approved by way of this conditions shall be subsequently implemented and maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety and traffic movement.

8. Prior to the first use of the development hereby permitted the vehicular access and parking shall be provided and thereafter retained at the position shown on the approved plan drawing number PL01 unless otherwise agreed in writing by the Local Planning Authority. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.

9. Before the accesses are first brought into use 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained each side of the accesses. They shall be measured from the point where the edges of the access way

cross the highway boundary, 0.65 metres into the site and 0.65 metres along the highway boundary therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 0.6 metres and 2.0 metres above the carriageway.

Reason: To provide adequate visibility for drivers entering and leaving the site and in the interest of pedestrian safety.

10. 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.

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.

11. If the Local Planning Authority is of the opinion that the report which discharges condition 10, 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.

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.

12. 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 11, above; has been submitted to and approved by the Local Planning Authority.

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.

13. 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 12 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.

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.

14. Any contamination, other than that reported by virtue of condition 10 and 11, 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.

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:

1. Where works are required within the public highway to facilitate the new vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

   Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx or by telephoning 0300 1234047.

2. 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 https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx or by telephoning 0300 1234047

3. 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.aspx or by telephoning 0300 1234047

Signed  Tom Rea Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 13 July 2018	