DELEGATED FILE NOTE

CASE OFFICER: ...Richard Tiffin.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00699/S73	Erection of 6 x 3 bedroom terraced houses including alterations to the existing vehicular access onto Priory Close and creation of new pedestrian accesses to Newmarket Road, landscaping and ancillary works following demolition of existing dwelling.Section 73 Application: Variation of Condition 2 (Approved Plans) as attached to Planning application 17/01135/1 granted on 19/05/2017.	1 Priory Close Royston Hertfordshire SG8 7DU

Submitted Plan Nos

3139.PLO1 B 3139.PL02; B 3139.PL04; A 3139.PL05 A

1.0 Policies

LP26	Housing Proposals
LP55	Car Parking Standards
LP57	Residential Guidelines and Standards
SECT7	Requiring Good Design
XD3	Protecting Living Conditions

2.0 Site History

1.1 Permission granted for a very similar scheme under ref 17/01135/1. It was decided that the changes to this scheme were just significant enough to render them as 'minor material' as opposed to 'non-material'.

3.0 Representations

3.1 **Royston Town Council** - Objects for the following reasons:

Members of Royston Town Council raised an OBJECTION to this application as the car parking changes would make car parking tighter and cars would reverse on to Priory Close which is dangerous.

This matter has subsequently been taken up with the Highway Authority and resolved to its satisfaction.

(Cllr Davidson does did not want to call item in previously- email 20th June 2017. He was asked again and does not want to call the matter in and indicated that he was satisfied not to if the highway concerns had been overcome).

3.2 **Highway Authority** - No objection subject to amended layout re parking / manoeuvring.

3.3 **Environmental Health (noise and contamination)** - No objection subject to

conditions (previous approval).

3.4 **Local Residents** – The occupiers of 11 and 18 Priory Close and 12A The Beeches Newmarket Road and 1 Austin Corner.:

- Danger of access and egress to and from Newmarket Road from Priory Close
- Parking problems locally exacerbated.
- Overdevelopment generally
- Too urban for the location / out of keeping
- Retaining wall inadequate
- Overlooking

4.0 Planning Considerations

4.1 Site & Surroundings

4.1 The application site is currently occupied by a large bungalow at the bottom of Priory Lane. The site slopes down toward Newmarket Road and ground is retained by a series of unsightly concrete panels which directly abut the footpath.

4.2 Proposal

4.2.1 The original proposal sought permission to erect a terrace of 6 three storey, three bed (plus study) dwellings in three blocks of two, articulated by lower linked elements specified with flat roof dormers. The proposed dwellings were specified with central shared chimney pots, feature gables with round window details. To the rear, the dwellings had under croft and open parking for at least two vehicles, small rear gardens, communal bin collection storage and parking for cycles within the curtilages. There are also two visitor parking bays and provision for visitor cycle parking.

4.2.2 This MMA application seeks to vary the original approval by changing the front elevations to include larger central gable features in place of the original small gables, replace flat roof dormers with pitched roof variants and remove chimneys (the chimney detail was reintroduced following discussions). The NMA scheme also changes the rear flat roof dormers for larger variants originally with full height French doors and Juliet balconies. This full height glazing was amended to half height windows following discussions. Rear dormers have been swapped for rooflights in the link elements. The proposal also specifies changes to the parking arrangements to the rear removing under croft feature on the approved scheme in favour of surface car parking and two additional spaces outside of the curtilage. There would remain 14 spaces.

4.3 Key Issues

4.3.1 The key issues in considering this amended scheme centre on the following:

- How do the changed car parking arrangement impact on highway safety and adjacent residential amenity?

- Are the proposed building design changes acceptable in street scene terms

and their impact on adjacent residential amenity?

4.3.2 In terms of the parking changes, the highway authority is now satisfied that the spaces shown can be used safely and that enough space is available such that would avoid the need to reverse from the site onto Priory Close. Two additional spaces have been shown adjacent to the boundary with No 7 Priory Close but these would not introduce activity detrimental to the reasonable living conditions of that property in my view.

4.3.5 The design changes as originally proposed were a retrograde step in my view – an exercise in 'value engineering' too far. However, after discussing with the agent it was agreed to re-introduce the chimneys and remove the full length windows in the rear dormers to safeguard the living condition of No 7. The other changes, such as removing leaded flat roof dormers and the smaller gables front features are disappointing but ultimately not so prejudicial to the approved scheme as to warrant objection in my view. Further, the scheme will still bring a far more attractive feature to this prominent street scene than the existing non-descript bungalow and ugly retaining wall.

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4.4 **Conclusion**

4.4.1 That permission be granted subject to the conditions imposed previously.

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 (as well as details of the railings and retaining walls - see condition 7) 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 occupation of any of the dwellings hereby permitted, the car parking facilities shown on the approved plan shall be marked out and made available and shall thereafter be kept available solely for the parking of motor vehicles.

Reason:To ensure the provision of satisfactory car parking facilities clear of the public highway to meet the needs of the development.

5. The approved landscaping details (17/01135/1) 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 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.

6. 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 (inc) 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.

7. Prior to the commencement of any development on the site full details of all walls, fences, sheds, cycle storage and bin collection facilities shall be submitted to and approved in writing by the Local Planning Authority. These features shall be implemented in accordance with the approved details prior to first occupation and thereafter permanently maintained.

Reason: To ensure that the scheme has an acceptable appearance and serves the needs of visitors and occupiers.

8. 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 footway 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.

9. Before the access is first brought into use 0.65 metres x 0.65 metres pedestrian visibility splays shall be provided and permanently maintained each side of the access. 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 600 mm and 2.0 metres above the carriageway/footway level.

Reason: To provide adequate visibility for drivers entering and leaving the site.

10. The gradient of the access shall not be steeper than 1 in 20 for at least the first 6 metres from the edge of the carriageway.

Reason: To ensure a vehicle is approximately level before being driven of and on to the highway.

11. The access shall be a maximum of 4.8 metres wide

Reason: So that vehicles may enter and leave the site with the minimum of interference to the free flow and safety of other traffic on the highway and for the convenience and safety of pedestrians and disabled people.

12. (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.

13. The development shall incorporate the noise mitigation measures relating to glazing and ventilation detailed in Section 6 of "Assessment of façade sound insulation to a residential development at 1 Priory Close, Royston" by ACA Acoustics, Report Reference 170601-R001, dated June 2017. These shall be implemented prior to the first occupation of the dwellings. Once implemented, the scheme of measures shall be maintained in accordance with the approved details.

Reason: to protect the residential amenities of future residents.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. 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.

Works 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 https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx or for information call on 0300 1234 047 to obtain the requirements for a section 278 agreement for the associated road works as part of the development. This should be carried out prior to any development work is carried out.

REASON: To ensure that work undertaken on the highway is constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the Public Highway.

2. During the change of use phase the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to.

During the change of use phase 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.

Signed  Simon Ellis Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 21 May 2018	