DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00329/FP	Erection of 3 x 4-bed and 3 x 3-bed dwellings following demolition of existing dwelling (as amended by plans received on 25 April 2018).	Mill Croft Royston Road Barkway Royston Hertfordshire SG8 8BU

Submitted Plan Nos

18/02B 18/04A Loc Plan 1803 1805 1806 1807 1827 001

1.0 Policies

LP7 Selected Villages Beyond the Green Belt

LP26	Housing Proposals
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
SPDDS	Design Supplementary Planning Document
XD1	Sustainable Design
XD3	Protecting Living Conditions
XSP1	Sustainable Development in NH
XSP2	Settlement Hierarchy
XT2	Parking

2.0 **Site History**

2.1 Various applications for alterations and extensions to Mill Croft since 1987.

3.0 **Representations**

3.1 **Barkway Parish Council** -Made the following comments on the original plans:

"Decision Neutral The Parish council would like to see:- More Visitor parking to remove the need for visitors or residents parking along Royston Road. possibly use of grasscrete to lessen the impact of extra spaces.
Plots 3 and 4 given larger garden areas.
Plot 5 Car port, covenant in-place to stop it being converted in to garage or converted to additional room.
More mature planting along the northern edge to lessen the impact of the development as you enter the village along the joint and Royston Road.
A Tarmac buffer between the Gravel road and Royston road to reduce loose stone impact.
To ensure sustainability the provision of electrical charging points for cars.
The Bin collection area should be enclosed to reduce the risk of dropped litter blowing into neighbouring fields."

3.2 **Neighbours/Site publicity** - No comments received.

3.3 **Highways** - Do not wish to restrict the grant of permission and recommended three conditions and highway informatives as set out below.

3.4 **Waste Management** – have made detailed comments and recommend the imposition of a condition as set out below.

3.5 **Environmental Health (Contaminated Land & Air Quality)** - Confirmed that the imposition of the standard planning condition is appropriate here. With regard to air quality impact mitigation recommended the condition and informative in relation to the Electric Vehicle ready domestic charging points set out below.

3.6 **Environmental Health (Noise and Other Nuisances)** – No comments received.

3.7 **Herts County Council: Historic Environment** – Originally recommended the imposition of the standard conditions. However a WSI and Trial Trench report were submitted during the consideration of the application and no evidence was found. It has been agreed with Dr Simon Wood that no conditions need to be applied in this instance.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site comprises a residential plot 75m deep by 34m wide located on the western side of Royston Road and currently containing a large single dwelling and various outbuildings.

4.2 **Proposal**

4.2.1 The application proposal seeks permission for 6 dwellings, comprising two detached four bedroom dwellings facing Royston Road (plots 1 & 2), two 3 bed dwellings (plots 4 & 5) which appear as linked semi-detached adjacent to the car

port to plot 5 which is a larger four bedroom unit. Plot 6 is shown as a detached 3 bed unit at the rear of the site. Plots 3 to 6 are barn style dwellings forming a courtyard to the rear of the two frontage dwellings. The scheme also includes a new internal road which has been amended to accommodate a refuse vehicle and highway requirements. A separate access to Royston Road is shown for plot 1. Amendments have also been made to plots 4 and 5 by handing the first floor accommodation to now include just one bedroom window on the rear elevation.

Materials have been specified as brick plinths, dark stained boarding and slate roofing to the rear plots and brick below pantile roofing to the front two plots.

4.3 **Key Issues**

4.3.1 The key issues in this case can be summarised as follows:

- Principle of Development
- Design
- Highways and Access
- Planning Obligations

Principle of Development

4.3.2 The starting point for a determination in this case must be the Local Plan. The site is just within the selected village boundary (Policy 7) in both the existing and emerging Plan. Policy 7 states that normally development proposals will be permitted if:

- the site lies within the main area of the village as shown on the Insets of the Proposals Map; and
- the proposal is in line with the Policy Aims for Visual Character Areas (as set out in part 5 under the relevant Parish), or involves retaining and improving an existing building which contributes to the character or visual quality of the village; and
- the proposal would maintain or enhance the character or visual quality of the village or the surrounding area;

The scheme as submitted and amended would in my view comply with the policy criteria.

4.3.3 The development would not be contrary to the development plan and therefore the main issue centre upon the form and appropriateness of the scheme at this site. As noted above, the site is inside the Selected Village boundary. The existing building is a large and unremarkable structure with a large garden running west. The proposal would make more efficient use of this established 'plot' by providing a net increase of five family dwellings., The more efficient utilisation of this site for housing would be socially and economically advantageous in boosting supply in / on the immediate edge of a selected settlement and would certainly be an improvement in this regard over the sites current use for a single dwelling. In these circumstances it is my view that the primary concern relates to environmental factors, principally design and layout and the consequent impact this would have on the character of the settlement and on the edge of Barkway.

Design

4.3.4 Paragraph 64 of the NPPF states that ***"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted"***.
In my view the design approach adopted would be appropriate in its context as they would create an informal barn like complex of buildings to the rear and more formal dwellings to the frontage, improving the existing range of buildings on the site. This scheme therefore respects the more formal character of Royston Road along the street frontage while grading out to less formal 'pseudo' agricultural buildings in a traditional courtyard layout to the rear. Following comments from the Parish Council and Highways some minor changes to the scheme were agreed which improve the way the development will function. Overall the mass and presence of the buildings would be appropriate for this edge of village site in my view.

Layout

I expressed some concerns regarding the relationship between plots 3 & 4 and Pinehurst, the residential property to the south of the site. The plots have relatively shallow rear gardens and first floor windows that would face over the garden area of that property. The agent has amended the plans to alter the first floor layout so that only one window to each property at first floor is on the rear elevation. No objections have been received fro the neighbour and they do have some mature landscaping to the boundary which would assist in screening the development.
In my view the scheme would be in line with the residential guidelines and standards set out in Policy 57. The proposal would not have an adverse built impact on the neighbouring properties, given the distance between them and vegetation to adjoining properties. The new properties would have small rear gardens and in my view the amenity space provided would be acceptable.

Landscaping

There are mature trees with some public amenity value to the front of the site and other trees to the rear and side boundaries along with hedges. Some of the trees are to be removed but overall these are of limited public amenity value. The largest tree to the frontage is to be retained along with those to the south west of the plot. The drawings show some basic landscaping provision but not in any detail. The provision of such landscaping and the safeguarding of existing trees on the site to be retained should be secured by the imposition of an appropriately worded planning conditions. I have therefore recommended the standard landscaping

condition covering hard and soft landscaping, a condition securing its implementation and tree protection conditions.

Highways and Access

4.3.8 The Highway Authority has confirmed that they do not have any objections following the re-design of the new access road to accommodate a waste freighter, surfacing of the site and minor issues. These amendments also satisfy some of the comments raised by the Parish Council and are a positive enhancement of the site.

The bin storage areas are shown to each individual plot and a bin collection point to the side of the access road for waste collection. To ensure that this provision meets the waste management recommendations I have added the condition they have requested.

Planning Obligations

4.3.9 Being less than 10 units this scheme is no longer subject to the Council's SPD - Planning Obligations.

4.4 Conclusion

4.4.1 In the circumstances described above, the Framework cautions that there must be demonstrable and significant reasons to refuse planning permission. There are undoubted benefits in supporting development on this site and these must be acknowledged Barkway is a Selected settlement and is likely to remain so given the presence of a junior school. In conclusion, in my view the proposed development would be acceptable in principle, would be acceptable in design and would not have a material adverse impact on neighbours and highways safety. I have therefore 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. Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with details indicated on the approved plan number

LILL/18/02B. The splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent carriageway.

Reason: In the interests of highway safety.

4. Prior to the first occupation of the development hereby permitted the proposed highway and access works shallbe completed in accordance with the approved plan and retained thereafter for that specific use.

Reason: In the interests of highway safety.

5. The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan and the approved details are to be implemented throughout the construction programme.

Reason: To minimise danger, obstruction and inconvenience to user of the highway.

6. (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.

7. Prior to occupation, each of the 6 dwellings 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.

8. No development shall commence until further details of the circulation route for refuse collection vehicles have been submitted to the local planning authority and approved in writing. The required details shall include a full construction specification for the route, and a plan defining the extent of the area to which that specification will be applied. No dwelling forming part of the development shall be occupied until the refuse vehicle circulation route has been laid out and constructed in accordance with the details thus approved, and thereafter the route shall be maintained in accordance with those details.

Reason - To facilitate refuse and recycling collections.

9. 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.

10. Notwithstanding the indicative landscape details shown, full details of landscaping shall be submitted to and approved in writing by the local planning authority prior to any works to implement this permission commencing. These details will include:

a) which, if any, of the existing vegetation is to be removed and which is to be retained

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

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

d) details of any earthworks proposed

The agreed details shall be implemented in full prior to the occupation of the last dwelling.

Reason:To ensure the completed development makes a positive contribution to the locality as required by the NPPF.

11. 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 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.

12. None of the trees to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority.

    Reason:To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

13. 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.

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 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.

15. Before the individual occupation of any of the dwellings hereby permitted, the associated car parking facilities (including the car port to plot 5) 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.

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. Hertfordshire County Council (HCC) recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

   AN) Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website: www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx.

   AN) Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx or by telephoning 0300 1234047.

2. 1) 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-vehicles

2) The above condition is considered relevant and reasonable for the following reasons:

o Paragraph 120 of the NPPF which refers to the effects (including cumulative effects) of pollution on health, the natural environment or general amenity.
o The aim of Section 4 'promoting sustainable development' of the NPPF, which includes in paragraph 35 'developments should be designed where practical to incorporate facilities for charging plug-in and other ultra low emission vehicles'.
o HCC Local Transport Plan (LTP3) 2011-2031 which includes an aim 'to reduce transport's own contribution to greenhouse gas emissions and improve its resilience'.
o It is consistent with the approach specified in the NHDC Air Quality Planning Guidance Document, which is referenced within the current consultation version of the Local Plan.
o The proposed plan for the development includes garages for two properties and dedicated parking spaces located immediately neighbouring the other four properties.This means that the proposed development is suited to the incorporation of EV charging infrastructure. The assessment of reasonable is also based on the approximate cost for installing appropriate cabling to a new build property would be expected to be approximately £300.00 per property and installation of a wall-mounted point approximately £300.00 per property.

Signed  Simon Ellis Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 23 May 2018	