

Meeting: Planning and Development Committee
Agenda Item:

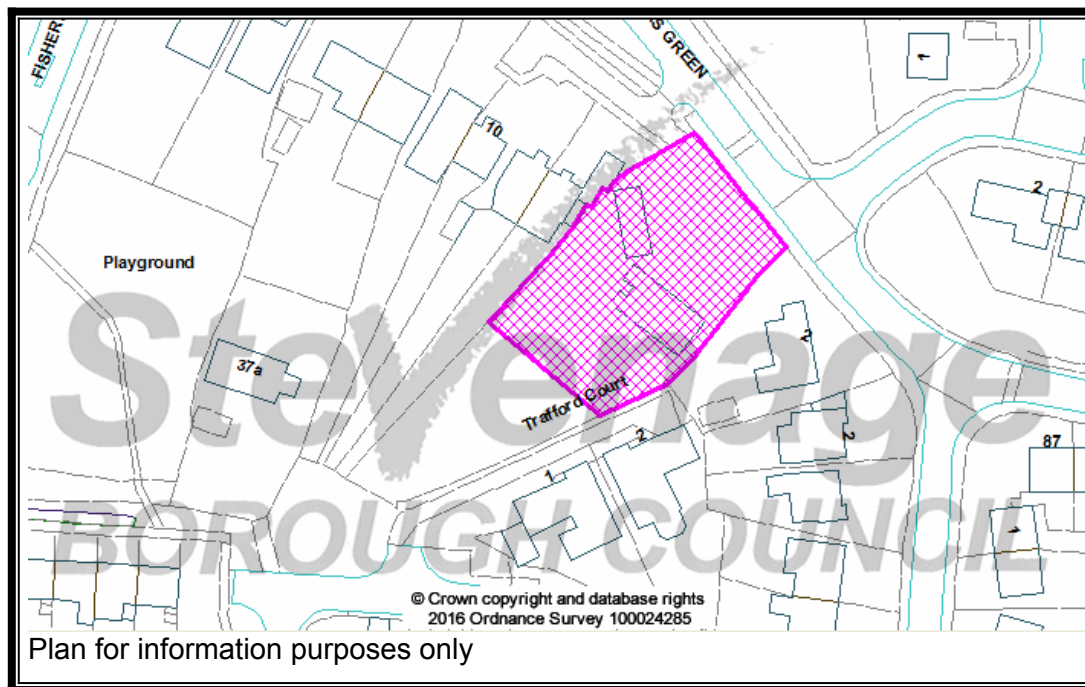
Date: 14 August 2018

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Application No:	17/00543/FP
Location:	4 Fishers Green, Stevenage
Proposal:	Demolition of existing dwelling and erection of 4no. three bedroom dwellings and relocation of vehicular access.
Drawing Nos.:	SCUD/21805/ACCESS1
Applicant:	Mr Craig Scudder
Date Valid:	3 August 2017
Recommendation:	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site comprises No.4 Fishers Green, which is a detached two storey dwelling located on the south west side of Fishers Green. The property is finished in white render with a brown plain roof and although attractive in appearance, is unlisted and is not located within a Conservation Area. The property is adjoined to the south by No.2, a modern, detached, 2 storey red brick property and to the north west by No.6, one half of a pair of 2 storey red brick

semi-detached properties. To the rear the site adjoins Trafford Court and backs onto a recently constructed chalet bungalow which is on land which previously formed part of the rear garden of No.4, to the rear of which is Skegness Road. To the front the property faces partly onto the Green and the residential developments of Corton Close and Sheringham Avenue.

- 1.2 Access to the site is taken directly from Fishers Green almost opposite the access to Corton Close. The site is currently enclosed by temporary protective fencing as the site is being used in conjunction with the development at the rear. A number of unprotected trees and bushes have been removed from the site.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning permission granted under ref 04/00509/FP in December 2004 for erection of a detached two bed bungalow with associated garage and access.
- 2.2 Planning permission granted under ref 09/00308/FP in December 2009 for erection of a detached two bed bungalow with associated garage and access (renewal of planning permission reference 04/00509/FP).
- 2.3 Permission granted under ref 17/00306/FP in July 2017 for erection of 1no three bedroom dwelling.
- 2.4 Permission granted under ref 17/00728/COND in December 2017 for discharge of conditions 3 (materials) and 4 (landscaping) attached to planning permission reference number 17/00306/FP.

3. THE CURRENT APPLICATION

- 3.1 The current application seeks planning permission for the demolition of the existing property and for its replacement with 4no three bedroom dwellings. The submitted plans identify the dwellings in the form of 2 pairs of semi-detached properties located roughly on the footprint of the existing dwelling, albeit sited slightly forward in the street scene, forward of the main dwelling at No.6 and slightly behind No.2. It is proposed that the dwellings will be constructed out of facing brickwork with concrete roof tiles, however; the precise details can be controlled by way of a condition. The dwellings are uniform in appearance designed with hipped roofs and feature projections at the front. The overall ridge height would be 7.8m with an eaves height of 4.7m. Each property would have its own private garden area ranging between 22m and 24m in depth.
- 3.2 Access to the properties would be taken from Fishers Green via a new access which would be located southwards of the existing site access, which would be closed. This would serve a parking and turning area for 8 cars which would serve the four properties. In order to achieve the necessary visibility splay to serve the new access it will require the removal of hedging to the front of the property.
- 3.3 The application comes before the planning committee for determination as it has been called in by Councillor Fraser.

4. PUBLIC REPRESENTATIONS

- 4.1 The proposal has been publicised by way of letters to adjoining premises and a site notice was displayed to the front of the property. The occupiers of the following properties have raised objections:-

4.2 101, The Paddocks, 1, Eastbourne Avenue, 103 Wisden Road, 8, Cotney Croft, 9, Mundesley Close, 4, Skegness Road, 441, Wisden Road, 5, Broom Walk, 553, Scarborough Avenue, 16 Fishers Green, 16, Franklins Road, 165, Fairview Road, 17, Windrush Close, 18, Ashdown Road, 18, Chells Way, 19, Church Lane, 20, Gonville Crescent, 21, Hazelmere Road, 21, Hertford Road, 25, Vincent Gardens, 28, Skegness Road, 533, Scarborough Avenue, 6, Fishers Green, 9, Falcon Close, Oakview, 64-66 Hydean Way, 109, Blakeney Road, 37 Ferrier Road, 4, Skegness Road, 514, Ripon Road, 25, Alleynes Road, 1, Norton Green, 101, Verity Way, 13, Church Lane, 148, Minehead Way, 2, Mundesley Close, 20, Lomond Way, 21, Cherwell Drive, 32, Skegness Road, 34, Marlborough Road, 4 Birdwing Walk, 63, Fishers Green Road, 67, Torquay Crescent, 7, Greenfield Road, Norton Green Farm, Notion Green, Peacehaven, London Road, 10, Wood Drive, 23, Whomerley Road, 101, Mobbsbury Way, 115 Minehead Way, 127, Kimbolton Crescent, 14, Ashleigh, 142, Fairview Road, 20, King Georges Close, 22A, Weston Road, 23, Mackenzie Square, 25, Brimstone Drive, 31, Haycroft Road, 33, Bedwell Crescent, 367, Ripon Road, 411, Ripon Road, 47, Fawcett Road, 71, Elbow Lane, 9, Holly court, 9, Shoreham Close, 194, Brent Court, 97, Leaves Spring, 2, Trafford Court, 21 Hastings Close, 365, Mobbsbury Way, 44, Bude Crescent, 471, Canterbury Way, 72, Eastbourne Avenue, 8, Aldeburgh Close, 209, Fairview Road, 5, Corton Close, 155, Fairview Road, 27 Elm Walk, 510 Archer Road, 43, Walkern Road, Thornboro', Todds Green, 1, Trinity Place, 26 Julians Road, 4 Corton Close, 87 Nodes Drive, Stevenage.

4.3 49, Cording Lane, Brinsley, Layston Cottage, Hare Street, Buntingford, 3 Shelley Place, Eaton Ford, St Neots, 8, Pomona Road, Shanklin, 48 Berkley Close, Biggleswade, The Smithy, Boyton, Woodbridge, 21, Ashby Road, Stapleton, 1, George Green Bungalows, Little Hallingbury, Bishops Stortford, 12, Normans Close, Letchworth Garden City, 135, Rue de la Fabrique, Ste- Claire, Quebec, 14, Church Lane, Loughton, Milton Keynes, 14, The Pinfold, Newton Burgoland, Leicester, 141, The Park, Market Bosworth, Nuneaton, 16 Lind Street, Ryde, 17, Wheelwrights Way, Easton, Sandwich, 18, Rosella Drive, East Cowes, 20, Courtlands Drive, Biggleswade, 202, Whitehill Road, Hitchin, 22 Seafield Road, Bournemouth, 35 Fairfax Road, Teddington, 38 Wilton Road, Shanklin, 45, Old Farm Lane, Newbold Verdon, 68, Somers Road, Wellham Green, Hatfield, 72, Dunbar Road, Wood Green, London, 8, Highfield Road, Shanklin, Bowcombe Manor Lodge, Bowcombe Road, Newport, Brantwood House, Church Cottage, Wood Lane, Cadeby, Leicestershire, Flat 2, 129, Richmond Road, Roath, Cardiff, Flat 5, 1, Chapel Road, London, 11, Elizabeth Close, Dereham, 14, 261E, Northfield Avenue, Ealing, 27, Blakemore, Letchworth, 4, Grosvenor Road, West Baldock, 9, Norfolk Street, Southsea, Lime Kiln Farm, Smarden, 1, Barnwell Road, Kirkby Malley, Leicester, 13, Windsor Close, Mager Caldicot, 1, Maycroft, Letchworth, 14 Abbrook Avenue, Kingstengnton, Newton Abbott, 16A, Newbold Road, Barlestone, Nuneaton, 38, Innox Hill, Frome, 4, High Street, Graveley, 4, Lake View Park, Corner Road, Hartley Wintney, 4B, Southfield Road, Hinckley, Leicestershire, 53, Manor Gardens, Buckden, 6, Fronton Terrace, Cradoc Road, Brecon, 7, Chandlers Way, Hertford, 7, Upper Hyde Lane, Shanklin, 76C, Adelaide Road, London, 8, Brookside, Barlestone, 8, Sandham Close, Perowne Way, Sandown, 8, The Harriers, Sandy, 916, Cambridge Road, New Malden, Almshoe Bury, St Ippolyts, Hitchin, The Lodge, 38 Innox Hill, Frome, The Outspan, Wendons Ambo, Saffron Waldon, 27, Great Innings South, Watton-at-Stone, 30 Louis Road Lake, Sandown, Flat 5, 2-3, Clardend Terrace, Brighton, Shannock Farm Cottage, Isle of Whitehorn, Newton Stewart, The Old Dairy, Bill Street, Norfolk, 179, Mullway, Letchworth, 39, Watton Road, Knebworth, 4, Tormentil Grove, Stotfold, 40, Walnut Avenue, Baldock, 48, Stevenage Road, Walkern, 9A, Maple Ridge Close, Llandrindod, Wells, Powys.

4.4 The reasons for objecting were:-

Loss of Historic Building

Property should be listed.

Cannot see how more houses are of benefit.

Increase in Traffic/Highway safety problems/ need for a transport statement.

Worsening of parking problems.

Commercial gain.

Development would not fit in with surroundings/out of character.

Overdevelopment.
Loss of Trees.
Overshadowing of 6 Fishers Green.
Loss of light to Kitchen, Bedroom and workshop of 6 Fishers Green.
Impact on Flora /Fauna and Ecology. Need for a Bat Survey
Need for more Schools and Surgeries to cater for additional housing.
Property should be bought by the Council and used for educational purposes.

- 4.5 It should be noted that the vast majority of the objections above related to the loss of the existing building and the fact it ought to be listed.

5. CONSULTATIONS

5.1 Hertfordshire County Council - Highways

- 5.1.1 The property has an existing vehicle access that is to be repositioned as part of the application that is located along Fishers Green designated as the C20 Unnumbered Classified Local Distributor Road subject to a speed limit restricted to 30mph. The parking spaces and turning area to serve the dwellings are acceptable, consequently vehicles can egress the access in forward gear.
- 5.1.2 In assessing visibility along the highway from the existing access, comment that vehicle to vehicle inter-visibility and pedestrian visibility from the new access complies with the levels of visibility found in Manual for Streets
- 5.1.3 Recommend that planning permission be granted subject to conditions requiring the construction of the new access and the provision of appropriate visibility splays.

5.2 BEAMS (Council's Conservation Advisor)

- 5.2.1 It would be appropriate to consider 4 Fishers Green a 'non-designated heritage asset'. The proposed demolition of 4 Fishers Green would entail the loss of this non-designated heritage asset - in terms of NPPF paragraph 135 the proposal would directly affect the non-designated heritage asset and result in total harm. In terms of weighing the application I consider that the proposed demolition of 4 Fishers Green would be harmful and this harm would not be outweighed by the public benefit of redeveloping the site to provide 4 dwellings. I therefore recommend the application is refused.
- 5.2.2 If the application is approved this should be subject to a condition requiring a level 2/3 Historic Building Recording of the property prior to demolition.
- 5.2.3 NB. It should be noted that these comments were provided prior to Historic England undertaking an assessment as to whether the building was suitable of listing.

5.3 Historic England

- 5.3.1 Historic England received a request to list the existing property in August 2017 and following an inspection of the property in autumn last year provided their formal report on the request for listing in December 2017. The report was comprehensive and went into depth about the qualities of the building. The report is lengthy and can be viewed in full on the Council's web site. However, the relevant points are summarised below:-
- 5.3.2 The overall summary is that "The Cottage at Fishers Green has been too altered to recommend it for listing, with the later alterations also being of insufficient intrinsic quality. While the later extensions and remodelling are of some interest in illustrating how the building was adapted to changing living standards, its detrimental impact on the original vernacular fabric means that they cannot support the case for designation. While the building is of limited

interest in a national context it is of local interest as an example of a former timber framed vernacular cottage of C17 origin, albeit much altered.

5.3.3 Historic England concludes that: “After examining all the known records, and having carefully considered the architectural and historic interest of this case, the criteria for listing are not fulfilled. The Cottage is therefore, not recommended for listing.”

5.3.4 The reasons given for arriving at the above conclusion are that in architectural terms “Although it is a relatively rare survival of a C17 timber-framed cottage in Stevenage, a significant proportion of its historic fabric has been eroded by successive alteration and extension. Whilst the later alterations and additions illustrate how the cottage was adapted to meet changing living standards, the surviving sections of the timber frame display little in the way of technological innovation nor high level of craftsmanship in its carpentry. Later modelling has compromised the integrity of the original lobby-entry plan.”

5.3.5 With regard to the historic interest, Historic England state that:- “It no longer represents a good example of a C17 vernacular house”.

5.4 Herts and Middlesex Wildlife Trust (HMWT)

5.4.1 Two ecology reports have been submitted with the application one undertaken in November 2017 and a further one in June 2018. Following an assessment of these reports HMWT made the following comments:-

5.4.2 The survey (June 2018) shows that there are not bat roosts present so an EPSM licence will not be required. However, the NPPF seeks a net gain to biodiversity and to incorporate features for biodiversity where possible (118 opportunities to incorporate biodiversity in and around developments should be encouraged); so I think that the incorporation of the habitat roosting features is still appropriate i.e. ‘2 habitat bat access units in the south facing brickwork of plots 1 and 3 under the roofline (pipistrelle bats).’ as stated in the first report. This should be secured by condition, reason- to conserve and enhance biodiversity in accordance with the NPPF.

5.5 HCC Senior Historic Environment Advisor

5.5.1 No objection.

5.6 Parks and Amenities Section

5.6.1 Subject to the section 38 application and approval, I think this should be fine. I’ve not found any record of an easement, but that doesn’t mean one doesn’t exist. I think that as there is already currently access that has been used then this should not be an issue.

5.6.2 The only real query is that the access will be moved and made larger, which as SBC we don’t have an issue with but should be covered by the section 38.

5.6.3 It will be worth reminding the applicant (and future residents) that vehicles are not allowed to park on the Common or on the VXO as this will be a restriction of free access.

5.7 Environmental Health Section

5.7.1 No comments received.

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

6.1.1 In the determination of planning applications development must be in accordance with the statutory development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014);
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007); and
- The Stevenage District Plan Second Review 2004.

The Council has now reached an advanced stage in the preparation of a new Stevenage Borough Local Plan 2011-2031. The Plan has been used as a material consideration in the determination of all planning applications registered on or after Wednesday 6 January 2016. The Plan has now been through the Examination process and the Inspector's Report was received in October 2017. This recommended approval of the Plan, subject to modifications proposed. The Plan is currently subject to a holding direction placed upon it by the Ministry of Housing Communities and Local Government (MHCLG), which prevents its adoption whilst MHCLG are considering whether or not to call it in.

6.1.2 The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.

6.1.3 In considering the policy implications of any development proposal, the Local Planning Authority will assess each case on its individual merits, however, bearing in mind the positive Inspector's Report, significant weight will be afforded to policies within the emerging Local Plan.

6.2 Central Government Advice

6.2.1 A revised National Planning Policy Framework (NPPF) was published in July 2018. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. Annex 1 of the NPPF provides guidance on how existing local plan policies which have been prepared prior to the publication of the NPPF should be treated. Paragraph 213 of the NPPF applies which states that due weight should be afforded to the relevant policies in the adopted local plan according to their degree of consistency with it.

6.2.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is itself a material consideration. Given that the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.

6.2.3 In addition to the NPPF, advice in Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

6.3 Adopted Local Plan

Policy TW1: Sustainable Development;
Policy TW8: Environmental Safeguards;
Policy TW9: Quality in Design;
Policy H7: Assessment of Windfall Residential Sites;
Policy H8: Density of Residential Development;
Policy T6: Design Standard;
Policy T15: Car Parking Strategy;
Policy EN13: Trees in new development;

6.4 Stevenage Borough Local Plan 2011-2031 Publication Draft (Emerging Local Plan)

SP1 - Presumption for Sustainable Development;
SP2 - Sustainable Development in Stevenage;
SP7 - High Quality Homes;
SP8 - Good Design;
HO5 - Windfall Sites;
GD1 High Quality Design;
IT5 Parking and Access

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document January 2012.
Stevenage Design Guide Supplementary Planning Document January 2009.

7 APPRAISAL

7.1 The main issues for consideration in the determination of this application are the acceptability of the proposal in land use policy terms; impact upon the character and appearance of the area; impact upon the amenities of neighbouring properties; suitability of the residential environment, impact on the highway network and car parking provision.

7.2 Land Use Policy

7.2.1 The application site is not allocated for residential development within the District Plan Second Review 1991 – 2011 and is, therefore, regarded as a ‘windfall site’. The proposed development must, therefore, be considered having regard to policy H7 relating to windfall residential sites. In accordance with this policy, planning permission will only be granted where the site is on land classified as previously-developed or small underused urban sites; development of the site would not lead to the loss of structural open space features as defined in policy TW2; there is no detrimental effect on the environment and the surrounding or adjoining properties; there is access to local facilities; and they include opportunities to access alternative forms of travel to private motorised transport.

7.2.2 Policy H05 of the Draft Local Plan (2016) (windfall sites) generally reflects Policy H7 of the adopted Local Plan. However, this policy does stipulate that proposals should not prejudice the Council’s ability to deliver residential development on allocated sites, and, it does not overburden existing infrastructure.

7.2.3 For the purpose of clarity, the definition of previously-developed land, as stated within the NPPF, is “that which is or was occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure”. The definition of previously developed land excludes private residential gardens. The proposed dwellings would sit roughly on the footprint of the existing dwelling at the site and a previous outbuilding as well as the hardstand area to the front. Consequently, it is considered that the proposal comprises the redevelopment of primarily previously developed, brownfield land.

- 7.2.4 Policy TW2 of the District Plan relates to the structural open spaces that exist throughout the town. In this instance, the site is located in a well-established residential area and does not impact on any structural open space in the immediate locality. Policy TW3 of the Adopted Plan states that proposals will not be permitted which involve the loss of neighbourhood facilities, except where it is proven that there is no need for the facility in its existing use or any other social, community, education or leisure use. The proposed development would not result in the loss of any neighbourhood facilities.
- 7.2.5 In accordance with Policies H7 and H05, residential developments of windfall sites must have a good level of access to local facilities. In this instance, the site is in close proximity to bus stops and is in easy walking distance of the Fairview Road Small Neighbourhood Centre and Old Town High Street and the facilities therein. The application site enjoys good links to pedestrian and cycle routes. In view of the aforementioned, it is considered that the site accords with the advice in the aforementioned policies of the adopted local plan. Furthermore, it fully accords with the advice in the NPPF as it provides a sustainable form of development,
- 7.2.6 The NPPF states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should plan an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also set out that the sustainable development needs to be pursued in a positive way and at the heart of the framework is a “presumption on favour of sustainable development”. Paragraph 67 of the NPPF (2018) states that planning policies should identify a supply of specific deliverable sites for years one to five of the plan period, and specific deliverable sites or broad locations for grown, for years 6 to 10 and where possible, for years 11 to 15. Paragraph 73 of the same document states that “Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies”.
- 7.2.7 In relation to five year land supply of deliverable housing, as referred to above local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements, but the supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:-
- a) 5% to ensure choice and competition in the market; or
 - b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
 - c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 7.2.8 The most up to date housing supply figures indicate that the Council is unable to meet its requirement to provide a five year supply of deliverable housing.
- 7.2.9 The fact that the site is considered to be in a sustainable location and that the Council is currently unable to provide a five year supply of deliverable housing sites are strong material considerations that significantly weigh in favour of the application.
- 7.2.10 Setting aside the impact upon the character an appearance of the area and the amenities of the adjoining properties, which are considered elsewhere in this report, the application is considered to be in accordance with policy H7 of the adopted local plan and H05 of the emerging local plan.

7.3 Impact upon the Character and Appearance of the Area

- 7.3.1 In terms of the character and appearance, the surrounding area is primarily residential in nature with relatively modern red brick and rendered 2 storey properties to the north and south of the application site, with similar modern properties in Corton Close and Sheringham Avenue opposite. There are also relatively new bungalows to the rear of the site in Trafford Court and further along Fishers Green Road is the recently completed development of Vincent Court. Additionally, there are a mixture of bungalows and 2 storey dwellings in Symonds Green Road. Consequently, with the exception of No.4 which is a significantly older historic property, the area comprises relatively modern 2 storey dwellings.
- 7.3.2 There is no doubt that the existing property is attractive in appearance and from the various representations received has a significant history attached to it. However, whilst there have been numerous representations submitted with the application seeking its retention, the property has been assessed by Historic England who consider that it is not worthy of listing. In view of this, the building has no formal protection which would support its long term retention. Consequently, the Council is unable to resist the demolition of the structure as to do so would be unreasonable given the decision taken by Historic England.
- 7.3.3 The application seeks the demolition of the current building at the site to be replaced by 4 three bedroom dwellings set out as two pairs of Semi-detached dwellings. As referred to in section 3 of this report, the new dwellings would be located on the footprint of the existing dwelling and a previous outbuilding at the site, albeit sited slightly forward in the street scene, forward of the main dwelling at No.6 and slightly behind No.2. However, they would be set back approximately 10m from the main highway of Fishers Green and, therefore, would not be seen as out of context with the existing building line. The introduction of 4 dwellings in lieu of the existing dwelling would clearly enclose the space which currently exists between the Cottage and the properties either side. Plot 1 would be located approximately 8.5m from No.2 Fishers Green, whilst Plot 4 would be 3.5m from the side of No.6. The separation between Plots 2 and 3 would be 2m. In terms of height, the new dwellings would have an eaves height of 4.7m and a ridge height of 7.8m. This would be in keeping with the adjoining and nearby properties some of which have accommodation in the roof. Similarly, whilst the dwelling would clearly fill the width of the plot the separation between the existing and new dwellings would not appear out of character with the area generally.
- 7.3.4 The submitted plans indicate that the proposed dwellings would be constructed out of facing brickwork with concrete roof tiles. Whilst specific details have not been provided, the surrounding properties are constructed out of either facing red brickwork or a mixture of bricks and render with brown roof tiles. The use of similar materials would be appropriate here and the precise details could be controlled by a condition. Similarly, a number of trees and landscaping have been removed at the site and to accommodate the visibility to serve the new access, the hedge to the front of the property would need to be removed. However, given this it will be a requirement of any grant of permission that some replacement landscaping be proposed at the site and again this can be covered by an appropriately worded condition.
- 7.3.5 Having regard to the above assessment, it is considered that the introduction of 2 pairs of semi-detached properties as indicated could be accommodated at the site without causing undue harm to the general character and appearance of the area.

7.4 Impact upon the Amenities of Neighbouring Properties

- 7.4.1 In assessing the impact of the proposal upon the amenities of those adjoining properties, those most affected are No.2 to the south east, No.6 to the north, properties in Trafford Court and the new dwelling which has recently been constructed to the rear of No. 4.
- 7.4.2 With regard to No.2, this is located over 8m away from the side of the nearest new dwelling and is set slightly forward and has an angled relationship with the nearest new property. This property has windows in the side which would face toward the parking area serving the new

development. At the rear the property is over 13m away from the side of Plot 1 and would be angled away. Given this relationship and separation, it is not considered that there would be an unacceptable impact on the outlook currently afforded to this property. Similarly, as only a utility room is proposed at ground floor level in the side of this property and a bathroom at first floor level, appropriate boundary treatment and the use of obscure glazing (which can be required by the imposition of a condition) would ensure that there would be no overlooking of this adjoining property.

- 7.4.3 In assessing the impact of the development upon No.6 to the north west, this is located approximately 3.5m away from the nearest new dwelling, Plot 1. This property has been extended in the past by way of replacement garage/workshop and a loft conversion. It also has a small glazed lean-to to the side of the Kitchen to the rear of the Workshop. There is also a flat roof single storey extension to the rear. Having assessed relationship between the proposed new dwelling and this property, the areas most affected are the workshop which has a window in the side and rear at ground floor, the Kitchen which has a door and window leading to the glazed lean to and window at first floor level serving a bedroom.
- 7.4.4 With regard to the workshop, this is not classed as a habitable room for planning purposes. In terms of the kitchen this does constitute a habitable room and, therefore, the impact on this room needs to be assessed. In this regard the building has a window and door in the side facing No.4 and a further window in the front elevation. The nearest new dwelling has been designed such that the rear wall is set forward of the Kitchen area. In view of this, the affected windows would not face directly onto the side of the new dwelling. Given this arrangement, coupled with the location of the property to the north, separation between the properties and the existence of an additional window serving this room, whilst there would be some loss of daylight and sunlight to this room, it is not considered to be so detrimental as to sustain the refusal of planning permission. Finally in respect of the bedroom, given that this is at first floor level and is served by a window in the front elevation, this would not be unduly affected by the proposed development by way of loss of light or outlook. As was the case with No.2, a utility room is proposed at ground floor level in the side of this property and a bathroom at first floor level. With the introduction of appropriate boundary treatment and the use of obscure glazing (which can be required by the imposition of a condition), this would ensure that there would be no overlooking of this adjoining property.
- 7.4.5 Finally, with regard to the properties to the rear in Trafford Court these are located at an angle from the new dwellings and the nearest property (No.2) is approximately 20m away. Given this level of separation and the angle, it is not considered that there will be an unacceptable loss of privacy to this dwelling. Similarly, as the back to back distance between the proposed dwellings and the new recently constructed chalet bungalow is 35m, this easily exceeds the back to back guidance of 25m as set out in the design guide.
- 7.4.6 In assessing the residential amenity afforded to the occupants of the new dwellings these all have appropriately sized rooms which accord with the standards set out in the emerging Local Plan. Furthermore, each dwelling has a garden in excess of 100sqm and a depth in excess of 10m which meets with the guidance set out in the design guide.

7.5 Highway Safety Implications

- 7.5.1 With regard to access and highway safety, the proposal involves the creation of a new access to the property which would move it further southwards from the current access, which would be closed off. Following initial concerns from the highway authority and following the receipt of a transport statement on behalf of the applicant and the repositioning of the access, the new access and the required visibility spays are now considered to be acceptable. Furthermore, the proposed turning arrangements within the site are considered to be acceptable. In view of this, the Highway Authority considers that that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highway and does not wish to restrict the grant of permission subject to the imposition of a condition to secure the provision of the access and the necessary visibility spays to serve it.

7.5.2 As a further matter, a small area of the application site where the new access is proposed comprises Common Land. In view of this, the applicant is required to make an application under the Section 38 of the Commons Act to obtain the necessary consent to undertake works affecting the Common Land. The applicant has applied to The Planning Inspectorate to obtain such consent which was granted on 23 April 2018.

7.6 Car Parking

7.6.1 With regard to car parking provision, the proposal would result in the erection of 4 no three bed properties at the site. In accordance with the Council's adopted car parking standards 2 spaces would be required to serve each dwelling. The submitted plans identify 8 parking spaces located to the front of the properties, four in front of plots 1 and 2 and four in front of plots 3 and 4. There would be a turning area between the two sets of parking spaces. This number of spaces would accord with the guidance in the adopted parking standards. Furthermore, HCC as Highway Authority consider the access and turning facilities to serve the parking spaces are acceptable.

7.6.2 In terms of cycling provision, each property has a significant garden area which would allow for the storage of cycles at the properties. Similarly, there is adequate room to the rear of the properties to cater for bin storage associated with the dwellings.

7.7 Other matters

7.7.1 With regard to issues raised by interested parties, the vast majority of objections related to the loss of the building and the fact it had historical and architectural interest. However, as set out elsewhere in this report, the building has been assessed by Historic England following a request that it be listed and have deemed it not worthy of listing. Consequently, the building has no statutory protection.

7.7.2 With regard to ecology and the possibility of protected species being present at the site, 2 ecology reports have been submitted following investigation of the site and the building. These have found that there may have been Bats present at the site. In view of this, and following consultation with Herts and Middlesex Wildlife Trust, it is recommended that habitat bat access units be provided in the south facing brickwork of plots 1 and 3 under the roofline to cater for the possibility of Pipistrelle bats wishing to roost at the site.

7.7.3 In respect of the comments of BEAMS, the applicant employed Albion Archaeology to undertake a heritage assessment of the existing building and the report documenting the heritage of the building, including photographs of the internal and external of the dwelling, have been forwarded to the Council for our records.

7.7.4 Finally, matters such as commercial gain and the suggestion that the Council should take on the property for education purposes are outside the control of the planning regulations.

8 CONCLUSIONS

8.1 The proposed redevelopment of the site for residential purposes complies with the National Planning Policy Framework and current Development Plan policies. Whilst the building at the site is considered by some to be historic and attractive, Historic England deems it not worthy of listing. It is considered that the proposal would have an acceptable impact on the character and appearance of the area and would not harm the amenity of neighbouring land users. Additionally, the proposed scheme would not adversely affect the operation or safety of the local highway network and would provide a sufficient level of car parking. Accordingly, it is recommended that planning permission be granted.

9 RECOMMENDATIONS

9.1 Planning permission be GRANTED subject to the following conditions:-

1. The development hereby permitted shall be carried out in accordance with the following approved plans: SCUD/21805/ACCESS1
REASON: - For the avoidance of doubt and in the interest of proper planning.
2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
3. No development shall take place until a schedule and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details
REASON:- To ensure the development has an acceptable appearance.
4. Notwithstanding details specified in the application submission, development shall not commence until a scheme of soft and hard landscaping and details of the treatment of all hard surfaces has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all new planting to take place including species, size and method of planting. The approved landscaping scheme shall be implemented within the first available planting season following the first occupation of the buildings or the completion of the development whichever is the sooner.
REASON:- To ensure a satisfactory appearance for the development.
5. Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure a satisfactory appearance for the development.
6. The development hereby permitted shall not be commenced until the existing access has been relocated as shown on the highway drawing number SCUD/21805/ACCESS1 and constructed to the local Planning Authority's satisfaction.
REASON: In the interests of highway safety and amenity.
7. Prior to the first occupation of the dwellings hereby permitted the parking spaces and turning facilities identified on drawing SCUD/21805/ACCESS1 shall be constructed, hardsurfaced and made ready for use to serve the occupants of those properties unless otherwise agreed in writing by the Local Planning Authority. The parking areas shall be constructed in a porous material or provision shall be made for a sustainable urban drainage system (SuDS) to be built into the hardsurfaced areas. Once provided the parking facilities shall be retained in that form and thereafter be used for the parking of vehicles.
REASON:- To ensure that adequate parking facilities are available within the site and that there is no detriment to the safety of adjoining highways
8. Before the access is first brought into use vehicle to vehicle visibility splays of 2.0 metres by 43 metres in both directions 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.

9. No construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time except between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0900 and 1330 on Saturdays.
REASON: - To safeguard the amenities of the occupiers of neighbouring properties.
10. Notwithstanding the details shown in this application, the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved boundary treatments shall be completed before the use hereby permitted is commenced or before the buildings are occupied and thereafter permanently retained.
REASON:- To ensure a satisfactory standard of development in the interests of amenity.
11. Prior to the first occupation of the development hereby permitted, the developer shall install two habitat bat access units in the south facing brickwork of plots 1 and 3 under the roofline which should be integrated into the brickwork as high as possible. The precise details of units shall first be submitted to and agreed in writing by the Local Planning Authority and shall thereafter permanently retained at the premises
REASON: - To increase roosting opportunities for bats in the area.
12. The first floor windows proposed in the side elevation of the dwellings hereby permitted serving the bathrooms shall be fitted with obscure glazing and shall be fixed so as to be incapable of being opened below a height of 1.7 metres above finished floor level and shall be retained in that form thereafter.
REASON: - To safeguard the privacy of the occupiers of the proposed development and Nos 2 and 6 Fishers Green.

Pro-active Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVES

HIGHWAY INFORMATIVE: HCC recommends inclusion of the following highway informative to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980: Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended 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 and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/droppedkerbs/> or by telephoning 0300 1234047.

10 BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.

3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012. Stevenage Design Guide 2009.
4. Stevenage Borough Local Plan 2011-2031 Publication Draft.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework July 2018 and Planning Practice Guidance March 2014.