

Item No. 14

APPLICATION NUMBER	CB/16/04522/FULL
LOCATION	9 Coppice Mead, Stotfold, Hitchin, SG5 4JX
PROPOSAL	Erection of new dwelling.
PARISH	Stotfold
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Dixon, Saunders & Saunders
CASE OFFICER	Mark Spragg
DATE REGISTERED	03 October 2016
EXPIRY DATE	28 November 2016
APPLICANT	Explorer Properties Ltd
AGENT	Eric M Adkins & Associates
REASON FOR COMMITTEE TO DETERMINE	Call in by Cllr Brian Saunders - Number of parking spaces - Flooding issues
RECOMMENDED DECISION	Full Application - Approval recommended

Summary of Recommendation

The planning application is recommended for approval, as it would be in accordance with Central Bedfordshire Core Strategy and Development Management Policies DM3, CS1 and DM4 and the design is in accordance with the Central Bedfordshire Design Guide and National Planning Policy Framework.

It would appear in keeping with the character of the locality, would not have a significant impact upon the residential amenity of any adjacent properties, would not cause any significant highway safety issues, and would not, as revised, exacerbate any flood risks.

Site Location:

The application site is within the settlement envelope of Stotfold, which is identified in Policy CS1 of the Core Strategy as a Minor Service Centre.

The site is currently the side garden to 9 Coppice Mead, located between that property, a mature semi detached house, and No.5 Coppice Mead, a modern detached house. The plot has a width of approximately 9m and a depth of approximately 36m, with Pix Brook located beyond the rear boundary.

At the front north east corner of the site is a small detached garage served by a short drive. A wall extends along the front boundary.

The surrounding area comprises a mix of mainly modern two storey house types, including detached, semi-detached and terrace.

The Application:

Planning permission is sought for the erection of a 3 bedroom detached house, with parking provided at the front for 3 cars, one space to serve the existing house and two for the proposed dwelling.

The application has been revised to include a higher internal floor level and the incorporation of a void under the building served by small openings around the bottom of the dwelling.

The application has been accompanied by a Design, Access and Conservation Statement, and a Flood Risk Assessment.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS1 Development Strategy
DM3 Amenity
CS14 High Quality Development

Development Strategy

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

16/02828/FULL - Erection of new dwelling. Withdrawn.

Consultees:

Stotfold Town Council **Objection**

The application constitutes an overdevelopment of the site providing inadequate parking for the two dwellings proposed. There is also an identified flooding risk to the site and properties on it.

It states in the application Design and Access Statement under 'Framework and Highway' that the existing property (no. 9) has only one parking space whereas there is actually a driveway in addition to the existing garage. Both these spaces would be lost to the new development with only

three spaces then being provided for the two dwellings. This would prove inadequate on this narrow (not 'good width' as stated) and busy road already subject to much on-road parking due to other recent development nearby.

The History section of the same document states that the current use is as a side garden area for the enjoyment of the semi-detached cottage whereas it is in fact inclusive of the off-road parking for two vehicles (for the existing property) as already mentioned. In the following paragraph it says it is intended to create a car parking space to substitute the garage to be removed, there will actually be the loss of two spaces with only in replacement.

On the application form item 12 regarding the risk of flooding, the 'no' box has been ticked. Additionally, in the Design & Access Statement 'History' section, it says in relationship to the proximity of the proposal to a Brook (Pix Brook) 'although past records do not indicate cause for alarm'. In reality the property has experienced two major flooding incidents and one less major incident since 4th July 2015 alone with several further incidents prior to those, many of these have been recorded by Central Beds Council's flood management team and are common knowledge to local residents. These more recent flood events have led to the resident of no. 9, due to flood damage, having to live in hotel accommodation for the duration of that period until selling the property after the last event. There is currently an evaluation underway involving the Ivel Drainage Board and Central Bedfordshire Council together with other stakeholders to reduce the flooding threat to the area but this is some way from being finalised.

Under item 10 on the application form, it states that there is existing parking provision for one motorcycle and one cycle with proposals to increase this provision. We have no indication on existing or proposed drawings of where this provision is and would be interested to be shown details of these?

Highways Officer

No objection subject to conditions.

Potentially the existing property has two spaces and if the new development were to go ahead then overall there would be a shortage of a single space for the two dwellings.

However, I am mindful that Coppice Mead is a typical residential estate cul-de-sac road where on-street parking is not prohibited and question whether the possibility, or even probability, of a further vehicle parking on such a road would lead to a NPPF 'severe' impact sufficient to justify and sustain a highway refusal.

In this instance, given the nature of the site and it's surroundings I feel there is insufficient justification to object on highway safety or capacity grounds.

Control of Pollution

No objection subject to condition.

Condition to ensure that any contamination identified during the development phase is effectively remediated.

Tree and Landscape Officer

No comments received to date.

Archaeology

No objection subject to condition requiring a written scheme of investigation prior to commencement.

Bedfordshire and River Ivel Internal Drainage Board

No objection to the plans as revised subject to a condition to provide and retain voids.

Environment Agency

No objection.

Other Representations:

Neighbours

One letter of objection from the occupant of 11 Coppice Mead making the following points:

- Inadequate parking.
- The main sewer in Coppice Mead is fragile and overloaded.

Determining Issues:

The main considerations of the application are;

1. Principle of residential development
2. Affect on the character and appearance of the area
3. Impact on the amenity of neighbouring occupiers
4. Highway Considerations
5. Other considerations

Considerations

1. Principle of residential development

- 1.1 The site is located within the settlement envelope of Stotfold, which is identified as a Minor Service Centre in Policy CS1 of the Core Strategy, wherein Policy DM4 states that within such areas new housing is acceptable in principle.

2. Affect on the character and appearance of the area

- 2.1 The projecting front gable of the proposed dwelling would be set back approximately 3.5m behind the front elevation of No.9, with the main roof and front elevation positioned approximately 2m in front of No.5, providing a logical stepped relationship with the two adjacent properties.
- 2.2 The submitted drawing (612 1R2) illustrates the relationship of the proposed house roof to the adjoining properties. It shows the ridge being approximately the same height as both neighbouring properties, whilst the eaves would be slightly higher (0.25m) than both adjoining houses. However, it is not considered that the small increased eaves height would appear unduly apparent or harmful to the streetscene.
- 2.3 The proposed house is considered acceptable in design and detailing and would sit comfortably between the two neighbouring dwellings, with a 2.4m gap to the flank wall of No.5 and a 1.85m gap to the closest point of No.9. Such physical separation would be in keeping with the general layout of development and relationship of properties within Coppice Mead.
- 2.4 Given the siting of the proposed dwelling and its design it is considered that it would respect the character and appearance of the surrounding area and be in conformity with Policy DM3, of the Core Strategy and Development Management Policies for Central Bedfordshire (North), and also the principles of good design contained within the Central Bedfordshire Council Design Guide (2014)..

3. Impact on the amenity of neighbouring occupiers

- 3.1 No. 5 has an obscure glazed secondary window on its south facing flank elevation. Subject to the first floor staircase window facing No.5 being obscure glazed, it is not considered that the siting of the proposed dwelling would result in any loss of amenity to the occupants of No.5.
- 3.2 No 9, which is under the ownership of the applicant, has side facing ground floor windows towards the rear part of its side elevation. It is not considered that the siting of the proposed house would result in any undue loss of amenity to the occupants of No.9, subject to appropriate boundary fencing and a condition to require the first floor en suite window to be obscurely glazed.
- 3.3 No other properties would be directly affected by the siting of the proposed dwelling.
- 3.4 In respect of neighbouring privacy and amenity, the proposal is considered to be in accordance with Policy DM3 of the Core Strategy and Development Management Policies Development Plan Document and also the Central Bedfordshire Council Design Guide (2014).

4. Highway Considerations

- 4.1 Potentially the existing property has two spaces, albeit it appears that only one parking space has been used and it appears unlikely that the garage has been used recently for the parking of a vehicle.
- 4.2 The proposal would result in a shortfall of a single space for the two dwellings. However, the Highway Officer recognises that Coppice Mead is a cul-de-sac road where on-street parking is not prohibited and does not consider that the possibility of a further vehicle parking on this road would lead to a 'severe' impact sufficient to justify and sustain a highway reason for refusal.

In this instance given the nature of the site and its surroundings the Highway Officer has considered that there is insufficient justification to object on highway safety or capacity grounds.

5. Other Considerations

5.1 Flood matters

Comments have been received regarding previous flooding incidents at the property in recent years. The site lies adjacent to Pix Brook and such matters within this area fall under the jurisdiction of the Ivel Drainage Board who have been consulted.

- 5.2 The application was subject to discussions with the Drainage Board following the previously withdrawn application after flooding issues had been identified. This application has been accompanied by a Flood Risk assessment and a further explanatory document. The application has been revised in consultation with the Drainage Board to incorporate a flood void under the building to which water would flow from 150mm x 150mm holes provided around the building at ground level. The Drainage Board have confirmed that they are satisfied that the incorporation of the proposed void and openings would provide an acceptable solution to flood risk in the vicinity of the site.

5.3 Main Sewer

Comments have been raised regarding the quality of the main sewer in Coppice Mead. These are not however considered material to the planning merits of the application.

5.4 Infrastructure

Due to recent government guidance it is not considered appropriate to require any infrastructure contributions in respect of this proposal.

- 5.5 Human Rights issues
There are no Human Rights issues

- 5.6 Equality Act 2010
There are no issues under the Equality Act

Recommendation:

That Planning Permission be approved subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **No development shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason: To control the appearance of the building in the interests of the visual amenities of the locality.
(Section 7, NPPF)**

- 3 **No development shall take place until a written scheme of archaeological investigation; that adopts a staged approach and includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved archaeological scheme.”**

Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the *National Planning Policy Framework* (NPPF) that requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.

- 4 **No development shall take place until details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

**Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.
(Section 7, NPPF)**

- 5 The dwelling hereby approved shall not be occupied until details of the bin storage area has been submitted to and approved in writing by the Local

Planning Authority and the bin storage area has been implemented in accordance with the approved details. The bin storage areas shall be retained thereafter.

Reason: In the interest of amenity. (Section 7, NPPF)

- 6 The voids shall be incorporated into the development as indicated on drawing 612-1R2 and constructed as detailed in paragraphs 6.1 and 6.2.1 of the Flood Risk Assessment, dated October 2016, unless otherwise agreed in writing by the Local Planning Authority. The voids and entrance grilles shall thereafter be maintained and kept free of obstructions at all times.

Reason: To prevent flooding.(Section 10, NPPF)

- 7 The proposed dwelling shall not be occupied until the modified/widened access has been formally constructed in accordance with Central Bedfordshire Council's Specification for vehicular access.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises. (Section 4 NPPF)

- 8 Before the modified/widened access is first brought into use an area of land across the whole of the site frontage measuring at least 2.4m from and parallel to the nearside edge of the adjacent road carriageway shall be provided and thereafter be kept free of all obstruction to visibility exceeding a height of 600mm above the adjoining carriageway level.

Reason: To provide adequate visibility between the existing highway and the modified/widened access and to make the access safe and convenient for the traffic that is likely to use it. (Section 4 NPPF)

- 9 Before the proposed dwelling is first occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises. (Section 4 NPPF)

- 10 A scheme shall be submitted for approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the dwelling is occupied and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality. (Section 7, NPPF)

- 11 A landscaping scheme to include all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The

approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping. (Sections 7 & 11, NPPF)

- 12 The first floor windows in the north and south elevations of the development hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision at all times and shall be non-opening, unless the parts of the window(s) which can be opened are more than 1.7m above the floor of the room(s) in which the window(s) is installed. No further windows or other openings shall be formed in the flank elevations.

Reason: To safeguard the privacy of occupiers of adjoining properties (Section 7, NPPF)

- 13 Notwithstanding the provisions of Part 1, Classes A and E of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no further development shall be carried out without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the external appearance of the building/s in the interests of the amenities of the area and having regard to potential flooding in the vicinity. (Section 7, NPPF)

- 14 In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with 'Model Procedures for the Management of Land Contamination, CLR 11'. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised. (Section 11, NPPF)

- 15 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 612-1R2, os 1:1250, Flood Risk Assessment October 2016. .

Reason: To identify the approved plans and to avoid doubt.

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular 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.) then the applicant will be required to bear the cost of such removal or alteration. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ
4. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ
5. The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development 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.

DECISION

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