

## Item No. 13

**APPLICATION NUMBER** CB/12/04464/RM  
**LOCATION** Stables rear of 50 High Road, Shillington, Hitchin, SG5 3PJ  
**PROPOSAL** Reserved Matters: following Outline planning permission CB/12/00645 erection of 20 dwellings together with associated garaging infrastructure.  
**PARISH** Shillington  
**WARD** Silsoe & Shillington  
**WARD COUNCILLORS** Cllr Ms Graham  
**CASE OFFICER** Samantha Boyd  
**DATE REGISTERED** 18 January 2013  
**EXPIRY DATE** 19 April 2013  
**APPLICANT** Bloor Homes (South Midlands)  
**AGENT**

**REASON FOR COMMITTEE TO DETERMINE**

Cllr Graham Call in - Reasons:

The access to the High Road, which is a recognised heavy vehicle rat run, and also used by doubledecker buses every week day, is too narrow, with no splay possible to the left. The access is so situated that traffic from the left, which is entering the village, frequently at speed, and coming down a gradient and round a bend, is invisible to vehicles attempting to enter the High Road from the proposed estate, to turn right.

Cars parked on the left on the High Road will exacerbate the problem of turning right, blindly onto the opposing carriageway. Another new estate (Aragon) is being finished, abutting Marshalls Avenue and exiting through it, to the left of this proposed site access. The probability of parking problems spilling out onto the High Road itself is thereby increased.

(The Marshalls Avenue exit, being further to the left, has a clear view up the hill and drivers can see approaching traffic well before it reaches them.)

Because of the complex nature of my request, I am asking for a site visit, to illustrate the problem more clearly.

Although the highways issue is the one that the parish council and I feel is crucial, we also query the ratio of parking bays to houses, the visitors' parking allocation and the lack of a play area on the site.

**RECOMMENDED DECISION**

**Reserved Matters - Granted**

## **Site Location:**

The application site is located in the north-east of Shillington village, to the north of High Road and to the west of Marshalls Avenue. The site comprises 0.74 hectares and is located to the rear of No.s 50 - 52A High Road. It was formerly used as an equestrian riding school with existing stables, paddocks, manage, hardstanding and an approach road.

The site slopes gently southwards, and is enclosed by a mixture of post and rail fencing, close boarded fencing, trees and conifer hedges.

The site is surrounded by residential developments to the east (Marshalls Avenue) and to the south (High Road). Open fields lie to the north and west. A number of public footpaths and bridleways encircle the site.

## **The Application:**

This is a reserved matters application following the granting of outline permission in CB/12/00645/OUT dated 09/01/2013, for a residential development with all matters reserved except means of access.

## **RELEVANT POLICIES:**

### **National Planning Policy Framework**

- 4 - Supporting sustainable transport
- 6 - Delivering a wide choice of high quality homes
- 7 - Requiring good design
- 8 - Promoting healthy communities
- 11 - Conserving and enhancing the natural environment
- 12 - Conserving and enhancing the historic environment

### **Core Strategy and Development Management Policies - North 2009**

- CS2 - Developer contributions
- CS3 - Healthy and sustainable communities
- CS4 - Linking communities
- CS7 - Affordable housing
- CS13 - Climate change
- CS14 - High quality development
- CS15 - Heritage
- CS16 - Landscape and woodland
- CS17 - Green Infrastructure
- CS18 - Biodiversity and geological conservation
- DM1 - Renewable energy
- DM2 - Sustainable construction of new buildings
- DM3 - High quality development
- DM4 - Development within and beyond settlement envelopes
- DM10 - Housing mix
- DM13 - Heritage in new development
- DM14 - Landscape and woodland
- DM15 - Biodiversity

## Supplementary Planning Guidance

Central Bedfordshire (North) Site Allocations DPD, April 2011  
Design in Central Bedfordshire - A Guide for Development, 2010  
Planning Obligations Strategy, 2009  
Local Transport Plan: Parking Strategy 2012

## Planning History

CB/12/00645/OUT      Erection of 20 dwellings together with associated garaging and infrastructure. All matters reserved except access.  
APPROVED

## Representations: (Parish & Neighbours)

Site Notice dated 25/01/13  
Application advertised 01/02/13

Shillington Parish  
Council

The Parish Council do not support the application on the following grounds:

1. Concerns regarding the safety of the access. The speed of traffic on High Road approaching from Lower Stondon direction makes the location of an access at this location hazardous to motorists turning right into or out of the site access road. It is also questioned whether the proposed splays would make it safe for motorists turning left out of the access road to do so safely without having to cross onto the opposite side of the road.
2. Insufficient garaging and off road parking provided within the site which would result in on road parking.

Neighbours

One letter received from No 54. High Road - House overlooks the site and we would like to request that a least two trees be planted in Plot 2 towards the south border of the side where it adjoins the garden of 52A High Road. This would mitigate our loss of the green view of the paddocks. Noise reduction measures would also be welcome, as we are so near the site and it would be appreciated if Bloor Homes would let us know when they intend to start on site and how long the work is likely to take.

## Consultations/Publicity responses

Housing Development Officer

Support application. The application provides

4 affordable homes. In 2012 discussions were had in relation to this site under application CB/12/00645/OUT. Viability issues were identified for the site which resulted in the full affordable housing requirement not being met (7 houses). Of the four units two were to be provided as rent with the remaining two as shared ownership. Having reviewed the documents submitted with the application the proposal conforms with the agreed number and tenure split.

#### Shillington Village Design

Designs - Mock tudor timbers to some gable ends considered pastiche, acceptable only if part of the structural design. Mix of Materials acceptable. No provision of Solar Panels - although the orientation and layout of the site is not ideal we think there is scope for solar roof panels. Layout - considered satisfactory bearing in mind the shape of the site. Scale - acceptable although some houses especially plots 7&8 appear too tall and narrow though this is probably offset by garages not shown on the same plan. Landscaping - the mature poplars to the South West, part of an important hedgerow, are to be coppiced. We this might result in trees dying and request that the Tree Officer be consulted.

Outline Matters - The conditions set out in the Outline decision are welcomed. We note that our suggestion regarding sound proofing to the first six bungalows in Marshalls Avenue is included. The S106 contribution of £247,260 is welcomed. There is no mention of the High Road crossing funding which was part of the basis on which the site was allocated.

We remain most concerned regarding the junction with the High Road and what measures will be needed to warn of the junction and restrict the speed of approaching traffic. We think vehicles turning right into the site are especially vulnerable to impact from traffic approaching from Stondon frequently in excess of 30mph limit. The Parish Council and many local residents have expressed similar concern.

#### Landscape Officer (Policy)

Fully support Tree and Landscape Officer's comments.

Tree and Landscape Officer

There is a comprehensive landscaping plan supplied which includes a good selection of plants and includes densities, detail of planting etc.

There seems to be no indication however of any proposed boundary treatment for the site or what the intention is regarding the maintained Leylandii hedge along both the west and east boundaries.

My comments in the outline application and also the pre application CB/12/03244 included a recommendation to remove the Leylandii hedge on the west and replace it with post and rail fencing also incorporating a native hedge mix along the full length. This would be in keeping with the sites location overlooking open farmland and also be in keeping with the agreed boundary treatment on the new build site to the east on Marshalls Avenue. We should continue to ask for this to be included in the proposal.

It would seem that the Leylandii hedge on the east side of the site is to be removed and replaced with native hedge planting and shrub planting which would seem a good proposal bearing in mind issues regarding the proximity of the existing hedge to the adjoining sheltered accommodation and future maintenance of the hedge. There is no indication of any new fencing along this boundary although I assume it will be close board fencing but it should be indicated.

Details of boundary treatment are required to include post and rail and native hedging on the west boundary.

Right of Way Officer

This development does include a legal line of footpath (across the gardens of Plots 13 & 14). This footpath is not currently used, due to an alternative route being informally walked. However, as the applicant is aware, the legal line of the footpath can be moved to the alternative route through the correct legal route. The move has been supported by the owners of the new path land. We would support any application made to formally move the legal line provided the new path width is 2m and undergoes surface

improvements.

Ecology

Following comments from outline appn. remain unclear as to whether updated information submitted?

The ecological report makes some recommendations to address any potential presence of protected wildlife, these are;

- all existing grassland to be maintained as a short sward to prevent it becoming attractive to wildlife;
- the weather vane tower to be dismantled by hand under the direction of a licensed bat worker to verify the absence of bats. Should bats be found to be present then works should cease and advice be sought from Natural England;
- No clearance of vegetation should be undertaken during the bird nesting season of March to August inclusive;
- bat and bird boxes or bricks should be incorporated into any new development.

Public Protection

No objections to application

Waste Officer

Thank you for sending over this application for comments from Waste Services, can the applicant please provide the following:

- Information on the ability of a Council used Waste Collection Vehicle (specification details available on request) to be able to access the site in forward gear access the site and turn around within the site in order to exit also in forward gear.
- Is it proposed that the access road is to be adopted by the Council? If not we will need further information on the road and a waiver removing all liability from the Council with regards to accessing the development for the purpose of bin collections.
- Can the applicant please identify the bin collection and storage locations from each dwelling. storage area must be in the rear gardens for each dwelling and be accessible without moving the bins through any internal areas of the dwelling.

*Revised plans were received in response to the above comments identifying locations for bin*

*collection and storage.*

Development  
Highways

Management

Please be aware the parking provision is below the current Parking Strategy guidelines. The proposal has had pre-application advise and outline approval using the previous parking standards in Design Supplement 7 of the Design Guide. For continuity of advice these guidelines have been used for this proposal.

There are a few minor issues with the amended plans however these can be dealt with by conditions, although the junction has outline approval already.

Conservation and Design

Some thoughts on the proposed details/ reserved matters of the proposed 20 no. 2-storey houses. The NPPF chapter 7 *Requiring Good Design* is a suitable starting point.

The layout- Bloor Homes drawing PL-01B- seems appropriate for this constrained slim rectangular site & single narrow vehicular & pedestrian access- & there really seems little alternative to the cul-de-sac with houses both sides & turning head. Concrete block paving is unfortunate- gravel rolled into bitmac/ blacktop just looks better in villages & being cheaper means that proper real granite setts can be used for edgings, which raises the quality feel.

House design - generally- as discussed this is all rather predictable & some of the house types appear somewhat over-designed & fussy/ Edwardian in style. Perhaps it is rather late in the day to try to enhance the local distinctiveness- especially use of materials & push for an altogether simpler, more sustainable approach to house design- as CABI/ Urban Design Group etc encourage? Not being a conservation area restricts the potential for *requiring good design*. Although being on the edge might allow some promotion of a rather more original contemporary/ 21st century design direction- cream limewashed lime render, sustainably grown local timber cladding, clay tiles, natural slate, sheet metal roofs, wood windows & doors, metal/ galvanised steel rwgs, low-key non-concrete surfacing/ paving

Landscaping- boundaries- hedges, walls,

estate railing, surfacing/ paving (see above),  
new planting.

## **Determining Issues**

The main considerations of the application are;

1. The principle of the development
2. The effect on the character and appearance of the area
3. Impact on amenity
4. Other matters

## **Considerations**

### **1. The principle of the development**

As noted earlier the site has been allocated for residential development in the Central Bedfordshire Development Plan and as such residential development on this site is considered to be acceptable.

The principle of erecting 20 dwellings on the site has been established under the outline planning permission which was granted in January 2013 with all matters reserved, except access. Matters for consideration are: the layout, the scale of the buildings; the external appearance of the buildings; and the landscaping of the site. These details are considered in the next section.

### **2. The effect on the character and appearance of the area**

The surrounding area comprises residential properties to the east and south and open countryside to the north and west. The existing residential properties are a mix of bungalows and two storey semi detached 1960's dwellings in Marshalls Avenue while in High Road and to the front of the site there are detached bungalows. The village possesses a mix of house types and sizes varying from older timber frame buildings that are mainly found in the conservation area, to modern infill developments. The application site itself does not fall within the conservation area boundary.

Policy DM3 requires that all new developments be appropriate in scale and design to their setting and should contribute to creating a sense of place, and respect local distinctiveness through design and use of materials.

#### Layout

The layout of the proposed development has been influenced by the shape of the site. A single access road runs through the site, alongside No 50 High Road and terminates at the end with a turning head. This creates a linear development, however there is a tight bend at the site entrance and the placing of trees is proposed along the internal shared surface area to add visual interest and break up the long straight access road. On entry to the site the view is



terminated by Plots 19 and 20 and at the far end of the site by Plots 13 and 14, and together with a range of dwelling types this helps to create a sense of place. The linear feel of the site is not dissimilar to Marshall's Avenue (adjacent) therefore it is considered that the proposed layout would harmonise with the surrounding area.

The site layout also includes the provision of a garage and parking space for No. 50 High Road as the existing space would be lost due to the site access.

The proposed parking provision for 20 dwellings would total 55 spaces comprising 15 in garages, 36 on plot spaces 4 allocated spaces and 4 visitor spaces. This results in a shortfall of 3 spaces when assessed against the new adopted parking strategy. Design Supplement 7 of the Design Guide calculates that there should be 52 spaces provided for the development, guidance which was used to assess parking provision at both Outline and pre-application stages. However in an attempt to comply with the new parking guidelines revisions have been made to the original plans to provide three additional parking spaces where space allows.

It is noted that the 15 garages do not comply with the new parking strategy in terms of size, they are 6.2m long instead of 7m long. Under the previous design standards, garages only had to be 6m long and as such would have complied with this requirement. The reduced depth of the garages is not considered unacceptable as they are still capable of housing a car, it is only storage space that will be lost. Given that the outline application was assessed under the previous parking standards, this is considered acceptable.

### Scale of the buildings

All properties are proposed to be two storey dwellings of similar heights and are a mix of 2, 3 and 4 bedrooms. Internally there is adequate living space comparable to the size of the property. The larger properties, which are mainly towards the front of the site, are provided with garages that are to be set back from the street frontage with additional parking spaces to the front. In terms of size, the garages are proposed as 6.2m in depth and 3.3m wide. While this is not strictly in accordance with the recently adopted Parking Strategy, pre-application advice was given prior to the document being prepared therefore under the circumstances the garage sizes are considered to be acceptable. It should be noted that the garage sizes comply with the guidance set out in the adopted Design Guide.

### External appearance of the buildings

The proposed buildings are designed to appear as classic cottage style properties with a mixture of plain gables and peak ends. There would also be a variety of eaves heights, porch canopies and traditional detailing.

The proposed materials comprise of brindle red and buff brick work, render and slate and plain red roof tiles: a combination that is spread throughout the site to add variation to the street scene. The materials are considered to be appropriate to the surrounding area and to the appearance of the development itself.

### Landscaping of the site

Policy DM3 also requires that development should provide hard and soft landscaping appropriate in scale and design to the development and its setting.

A landscaping scheme has been submitted which provides a good selection of planting throughout the site. Low level shrub planting is proposed along the access road interspersed with trees of an acceptable species providing greenery in the streetscape and incorporating ecological enhancements such as bat and bird boxes.

The existing Leylandii hedge on the western boundary of the site is to be removed along with a section along the eastern boundary. This is welcomed by the Tree and Landscape Officer who recommended the Leylandii be removed at pre-app stage. No details have been submitted with regard to the boundary treatment that is to replace the Leylandii hedge, however this can be dealt with via a condition. It is recommended that the western boundary which overlooks farmland, be post and rail fencing with a native hedgerow which would be in-keeping with its edge of village location. Overall the proposed landscaping of the site is considered to be appropriate to the development.

The proposed layout, scale, external appearance and landscaping of the site is considered to be in-keeping with the surrounding area. As such the development would not have an adverse impact upon the character and appearance of the local area which conforms with Policy DM3 and the Design Guide.

### **3. Impact on amenity**

The neighbouring properties affected by the proposal are those along the eastern boundary of the site, in Marshalls Avenue and those to the south in High Road.

No's 50, 52 and 52a are located to the south of the site. Plot 1 and Plot 2 would be located closest to these properties however they are sufficiently separated from the plots so as not to suffer any loss of light or overbearing impact. No adverse overlooking would occur given the distance involved. As part of the outline permission, a replacement garage is to be constructed serving No. 50. The garage would be located at the far end of the garden, some 15m from the rear elevation of the dwelling. The design and siting of the garage is not considered to result in a loss of amenity.

Plots 15 - 20 are to be located eastern boundary, shared with properties in Marshalls Avenue. The new properties are sited such that they would not adversely affect the adjacent dwellings by way of light loss, overbearing impact or loss of privacy.

### Amenities of future occupiers.

The scheme accords with the Councils guidance on back to back separation distances, with over 25m between the rear elevations of the new dwellings and the existing properties in Marshall Avenue. It is noted that plot 15 is closer to the

boundary, however no windows are provided in the rear elevation of this dwelling.

The amenity space in the new properties varies between the plots, however the space is considered to be adequate and in accordance with guidance. The majority of the dwellings have a garden depth of approximately 10m, where this is reduced the plot is wider.

Plots 13 and 14 do have relatively small gardens being under 50 sq m. However the applicants are negotiating the purchase of the area of land to the rear of these properties, which if agreed would allow the extension of the gardens, subject to a further planning permission being granted. In any case, whilst the gardens for plots 13 and 14 are small, the properties are two bed roomed and therefore unlikely to house a large family. On balance, whilst limited the garden space is considered to be reasonable and therefore acceptable.

Given the above the proposed dwellings will not cause a detrimental impact on the residential amenities of the neighbouring properties and an acceptable standard of amenity can be provided for the occupants of the new dwellings proposed. The proposal therefore accords with Policy DM3 and the Design Guidance.

#### **4. Other matters**

##### Highway safety

Access to the site was approved under outline permission CB/12/00645/OUT. Whilst the comments received concerning the access are noted, such details were approved by Members when the outline application was discussed at Development Management Committee on 27 June 2012.

Revised plans have been received dated 6 March following a meeting with Highways Officers. Amendments include the addition of and revisions to visitor parking bays, visibility splays, turning areas and footpaths.

There are no objections subject to conditions.

##### Waste storage

A revised plan has been received identifying the location of bin storage and collection points at the request of the Planning Liaison Officer (Waste). No comments on the revisions have been received at the time of preparing this report.

##### Right of Way

The legal line of footpath no. 23 runs along the north of the site. The footpath is not currently used due to an alternative route being informally walked. The applicant is aware that the legal line of the footpath can be moved to the alternative route through the correct legal process, which is likely to be supported. Re-routing the footpath would allow the extension of the gardens to

Plots 13 and 14 as discussed earlier.

The proposal includes a pedestrian link through to footpath no .23.

### Planning Obligations

Planning obligations associated with the development were secured at outline stage and includes the provision of affordable house units and contributions towards local infrastructure.

### **Recommendation**

That Planning Permission be granted subject to the following:

- 1 No development shall commence until a scheme has been submitted to and approved by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected along the southern, eastern and northern boundaries of the site. The boundary treatment shall be completed in accordance with the approved scheme and retained thereafter.**

**Reason: To safeguard the appearance of the completed development and the visual amenities of the locality, in accordance with policies CS14 and DM3 of the Core Strategy and Development Management Policies 2009.**

- 2 No development shall commence until a scheme detailing provision for on site parking for construction workers and deliveries for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

**Reason: To ensure adequate off street parking during construction in the interests of road safety, in accordance with policy DM3 of the Core Strategy and Development Management Policies 2009.**

- 3 No development shall commence until a scheme for the secure and covered parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at one cycle parking space per bedroom and 2 short stay spaces per unit, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.**

**Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport, in accordance with policies CS14 and DM3 of the Core Strategy and Development Management Policies 2009.**

- 4 Before development is occupied details of the demarcation of the visitor parking bays and the turning area shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into use until the demarcated visitor parking bays and turning area have been constructed in accordance with the approved plans.

Reason: In the interests of road safety, in accordance with policies CS14 and DM3 of the Core Strategy and Development Management Policies 2009.

- 5 **No development shall commence until details of the service margin around the proposed highway adoptable areas adjacent and opposite no. 50 and adjacent and opposite the access and parking for no 50 and plot 1 southern access has been submitted to and approved by the Local Planning Authority and the development shall not be brought into use until the service margin has been constructed in accordance with the approved details.**

**Reason: In the interest of road safety and for the avoidance of doubt, in accordance with policies CS14 and DM3 of the Core Strategy and Development Management Policies 2009.**

- 6 The area of land at plot 19 between the forward visibility curve as indicated on the approved drawing no. PHL-02 Revision D and the highway boundary shall be kept free in perpetuity from all obstructions.

Reason: In the interests of road safety, in accordance with policies CS14 and DM3 of the Core Strategy and Development Management Policies 2009.

- 7 The turning space for vehicles illustrated on the approved Drawing No PL-01 Revision D shall be constructed before the development is first brought into use.

Reason: To enable vehicles to draw off, park and turn outside of the highway limits thereby avoiding the reversing of vehicles on to the highway, in accordance with policies CS14 and DM3 of the Core Strategy and Development Management Policies 2009.

- 8 Before the western access of Plot 1 is brought into use an area of land across the whole of the site frontage and adjacent to plot 1 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.

Reason: To provide adequate visibility between the existing highway and the proposed accesses, and to make the accesses safe and convenient for the traffic which is likely to use them, in accordance with policies CS14 and DM3 of the Core Strategy and Development Management Policies 2009.

- 9 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers N528-LOC, PL-01 REV D, PHL-02 REV D, N528\_RCP-01, N528-SS01, JBA 12/372-01,414.C-PL01, 406.C-PL02, 406.C-PL01,405.C-PL03 REV A, 405.C-PL04 REV A, 419.C-PL05 REV A. 419.C-PL06 REV A, 313.C-PL01, 2B4P-SK01 REV A, 3B49-SK01, 203.C-PL04, 405.C-PL01, 405.C-PL02, 406.C-PL03, 406.C-PL04 REV A, 414.C-PL01 REV A, 414.C-PL02, 419.C-PL01\_a REV A, GL1[SG]01 REV A, GL2[GF]01, GL2.P[SG]01 REV B, N528\_MP01 (MATERIALS PLAN),

Reason: For the avoidance of doubt.

**Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

Approval of reserved matters has been granted for this proposal. 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) (Amendment No. 2) Order 2012.

**Reasons for Granting**

The proposal would not have a negative impact on the character and appearance of the surrounding area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety. Therefore by reason of its size, design and location, the proposal is in conformity with relevant policies CS1, CS2, CS4, CS7, DM3 and DM4 of the Core Strategy and Management Policies, November 2009; and The National Planning Policy Framework. It is further in conformity with the Supplementary Planning Document: Design in Central Bedfordshire: A Guide for Development, 2010.

**Notes to Applicant**

1. The applicant is advised that the eastern boundary of the site should include a native hedgerow and timber post and rail fencing.

**DECISION**

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