DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/01151/FPH	Two storey rear extension following demolition of existing conservatory, new first floor side window and reinstating garage.	4 The Rowans Baldock Hertfordshire SG7 6HJ

Submitted Plan Nos

PL03 2003-01; PL01; PL02;

1.0 Policies

LP28 House Extensions

SECT7 Requiring Good Design

XD2 Hse Extns,Replacement Dwells,Outbuilding

2.0 **Site History**

2.1 None

3.0 **Representations**

3.1 **Neighbours** – A number of neighbours in Weston Way have raised concerns about loss of privacy due to overlooking into their back gardens.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application property is a 1960's / 70's estate property which backs onto older properties in Weston Way.

4.2 **Proposal**

4.2.1 The application proposes a 3m two storey rear extension to accommodate bedrooms at first floor and an enlarged kitchen / living area at ground. The property would increase from 3 bed to 4 bed post development. The extension is specified as a simple elongation of the exiting building form rearward.

4.3 **Key Issues**

4.3.1 The key issues in this case centres almost exclusively on the impact of the scheme on the reasonable living conditions of neighbours living in Weston Way. There is plenty of off street car parking and the relationship with the adjacent property at number 6 is satisfactory given the depth of the proposal (3m) and the adequate separation afforded by a drive / garage.

4.3.2 On visiting the property and viewing from the garden of No 6 I noted the presence of first floor bedrooms windows already looking toward the rear elevations of properties in Weston Way. Currently separation distances are around 27 – 30 m depending on individual properties. Scaling from the drawing site plan, No 4 stands at about 27m from No 41 which is almost diametrically opposite. The extension would reduce this to around 24m. The saved local plan recommends around 30m back to back. However, this guideline is over 20 years old and modern housing layout standards allow for much smaller distances of which 24m and less would be considered acceptable. This said, this application must be considered in the light of distances which have been enjoyed

by established properties for a number of decades (this is not 'new' development). Accordingly, I am of the view that distance alone should not be the deciding factor

4.3.3 The question of acceptability in my view turns on a combination of separation distance and the established nature of the relationship of first floor windows, gardens and private areas. In this regard, it is clear that first floor windows of properties in both Weston Way and The Rowans have looked directly toward each other at distances in the range set out above for many years. The application proposal simply seeks to close the distance by some 3m. In order to refuse planning permission I would advise that the Planning Authority would need to clearly demonstrate that a bedroom window advanced 3m, such that the back to back distance was reduced to around 24m, would occasion a 'material' loss of privacy compared with the situation as it currently exists. Having viewed the situation on site carefully I can not conclude that the overlooking from bedroom windows would be materially any different post implementation than it is now.

4.4 **Conclusion**

4.4.1 I can not conclude that the situation post development would be materially any worse than it is now in terms of the potential for overlooking from first floor bedroom windows. Accordingly, I would recommend that permission be granted subject to standard conditions.

5.0 **Recommendation**

5.1 That planning permission be **GRANTED** subject to the following conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

   Reason:To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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