DELEGATED FILE NOTE

CASE OFFICER: ...Andrew Hunter.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02820/FPH	Erection of detached triple garage with office space above following demolition of existing garage.	27 Beech Way Blackmore End St Albans Hertfordshire AL4 8LY

Submitted Plan Nos

Location Plan Block Plan 8WW/2024/10 Existing Garage Plans Existing garage Elevations

1.0 Policies

D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
SECN12	Achieving well-designed places
SECN9	Promoting sustainable transport
SP6	Sustainable transport
T2	Parking
SP9	Design and Sustainability

2.0 Site History

2.1 None.

3.0 Representations

3.1 **Neighbours** – The following objections were received from No. 26 Beech Way:

- Front fences are not permitted under the covenant for Beech Way.
- Overhanging and root damage from new trees.
- Is a covenant regarding garages in Beech Way.

3.2 **Parish Council** – No comment.

4.0 Planning Considerations

4.1 Site and Surroundings

4.1.1 The site is a detached two storey dwelling with a pitched roof, with a detached double garage in front of it. The party boundary behind the garage is a fence and trees. The site is in a residential area comprised of detached dwellings.

4.2 Proposal

4.2.1 The erection of a detached triple garage with office accommodation above, which would have a pitched roof and front dormer. The existing garage would be demolished. A new 1.8m high fence would be erected on the front boundary with No. 28 Beech Way. Two new trees are also shown at the front of the site.

4.3 Key Issues

4.3.1 The key material considerations are design, neighbour amenity, and parking.

Design

4.3.2 There are no objections to the demolition of the garage and the removal of a tree as neither are considered to be of such significance that they should be retained. There are no objections to the new tree planting, which in any case wouldn't need planning permission.

4.3.3 The proposed new outbuilding would be substantially larger, higher and bulkier than the existing. The new outbuilding would also be closer to the main dwelling No. 27, to neighbour No. 28, and to the front of the site. As such, the new outbuilding would be more visible in the street scene.

4.3.4 The new outbuilding would have high eaves for a single storey building with roof accommodation, and would appear as a 1.5 storey building. The high eaves will result in a large expanse of blank wall areas above the garage doors and on the smaller part of the building set back from its front elevation.

4.3.5 The design of the outbuilding with high eaves and associated large areas of blank walls does not relate to the design and appearance of the main dwelling No. 27, which is a typical two storey detached dwelling. The size and design of the outbuilding is not considered as it would be overly large for such a building, and would not appear as an incidental outbuilding.

4.3.6 The outbuilding would have a larger footprint and floor space than the present garage, and would be significantly closer to No. 27 and the side boundary with No. 28. The present garage is of a size and siting that maintains a sense of space between Nos. 27 and 28.

4.3.7 The proposed outbuilding would effectively fill the majority of this gap between Nos. 27 and 28, and would also be higher and more visually dominant. The proposed outbuilding would therefore be considered to appear large and cramped within its plot, and would have a poor visual relationship with both dwellings such that it would be harmful to their character and appearance.

4.3.8 In the wider street scene of Beech Way, the proposed outbuilding would be considered of a size and design out of character with the street scene in respect of how it would relate to other garage outbuildings, which such garages being more modest double garages similar to the existing garage in the site. I'm not aware of any applications or permissions for a similar outbuilding in Beech Way.

4.3.9 The proposed new outbuilding is not therefore considered acceptable, would be of a size and design that would be detrimental to the character and appearance of the site and host dwelling, would appear harmfully cramped and overly visually dominant in its relationship with Nos. 27 and 28 Beech Way, and would not be in keeping with the character and appearance of the street scene.

4.3.10 The proposed plans also include a new 1.8m high fence to the side of the proposed outbuilding on/near the party boundary with No. 28 Beech Way, although it's not clear from the plans how far along the boundary this fence would extend. A small length of fence behind the outbuilding and opposite its east side wall could be erected without harming the character of the street scene as it would not be considered to be visually dominant and out of character. If permission was to be granted, further details of the fence would be required by condition.

4.3.11 However, for the reasons above, the proposed outbuilding is not considered acceptable. The design is not acceptable. The proposal does not comply with Policies D1 and D2 of the adopted Local Plan, and Section 12 of the NPPF.

<u>Neighbour amenity</u>

4.3.12 The outbuilding would be near the rear boundary with No. 7 Lime Avenue to the north. No. 7 is approx. 60m from the outbuilding, therefore its habitable rooms won't be affected. Numerous trees at the end of the rear garden of No. 7 will obscure the outbuilding from the garden, and the proposed openings of the outbuilding won't affect the privacy of No. 7. Impacts on the amenity of No. 7 are acceptable.

4.3.13 The closest dwelling to the proposed outbuilding is detached neighbour No. 28 Beech Way. The outbuilding is not considered harmful to the front and rear elevations of No. 28 due to its proposed siting relative to No. 28.

4.3.14 The facing side of No. 28 contains a small high level first floor window, a large obscure glazed window that is considered serves a staircase, and a clear glazed ground floor window that's near the rear of No. 28. The outbuilding will not affect the first and ground floor windows due to their siting relative to that of the outbuilding.

4.3.15 The staircase window is obscure glazed and the outbuilding will be at an oblique angle to it, therefore the outbuilding won't affect its outlook and privacy. The hipped roof design is considered sufficient to maintain adequate light for the window. A first floor side rooflight would face No. 28, however it would be at a high level and would not cause loss of privacy.

4.3.16 The outbuilding would also include a side rooflight on its west elevation, and a front dormer. The west rooflight will provide views primarily of the site, and will not harm amenity. The dormer will provide views of the front of the site and the driveway of No. 26, and will not harm amenity.

4.3.17 Regarding the proposed fence, while full details have not been provided, it's not considered that a fence along the front boundary with No. 28 would harm the amenity of that dwelling as it would be a small addition that would have limited visual impacts to the front garden and closest ground floor front window of No. 28.

4.3.18 The neighbour comments partially concern covenants, which are separate legal matters to what can be considered in the planning application process, and are not material considerations that can be taken into account. There could potentially be issues from the new trees that are proposed, however the tree planting is something that can be carried out without planning permission being required, and are not critical to the proposed outbuilding itself. If trees were to be planted and cause damage, this would be a civil matter that would need to be resolved between the relevant parties. Impacts on amenity are acceptable. The proposal complies with Policy D3 of the adopted Local Plan and Section 12 of the NPPF.

Parking

4.3.19 The site will have parking provision for at least two cars, and complies with minimum standards. The proposal complies with Policy T2 of the Local Plan.

4.4 **Conclusion**

4.4.1 In the absence of material planning reasons to the contrary it is my view that planning permission is **REFUSED**.

5.0 **Recommendation**

5.1 That planning permission be **REFUSED** for the following reason:

1. The proposed outbuilding, by reason of its size, siting and design, will be detrimental to the character and appearance of the host dwelling, site and locality. The proposal does not comply with Policies D1 and D2 of the adopted Local Plan, and Section 12 of the NPPF.

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed Anne McDonald Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 24 March 2025	