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Hertfordshire  
SG6 2ET  
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## Objection to Planning Application: 26/02003/FPH

I am writing to formally object to this planning application. I sympathise with the applicants' desire to add living and sleeping accommodation in order to provide a suitable home in which to comfortably raise a young family. However, the current proposals would have a truly negative impact on the existing street aesthetic and our personal living conditions, and furthermore, transgress so many guidelines and laws, that I am regretfully compelled to make objections. Similar increases in accommodation are routinely achieved to semi-detached dwellings without changing the street facing roof shape, or adding an out-of-proportion rear dormer and without giving an oppressive outlook to a neighbouring habitable room. I set out the grounds for rejection below.

- **1. The proposed extension is unsympathetic and dominating** in direct conflict with the North Herts Local Plan Policy D2
- **2. Severe and unacceptable loss of daylight** to my property in direct conflict with the North Herts Local Plan Policy D3
- **3. Invalid and Inaccurate Documentation** contrary to NHDC Guidance on the Submission of Planning Applications
- **4. Failure to adhere to LGC Heritage Foundation Design Principles**

The following sections expand upon the above

### 1. The proposed extension is unsympathetic and dominating (Conflict with Policy D2)

I have highlighted the specific wording of Policy D2 which is in conflict with the proposed alterations

#### From Policy D2: House extensions, replacement dwellings and outbuildings

Planning permission for house extensions will be granted where:

- a) The extension is **sympathetic to the existing house in height, form, proportions, roof type, window details, materials and the orientation of the main dwelling**; and
- b) The extensions do not **dominate** adjoining properties and:
  - i. it is well related to the floor levels of adjoining properties,
  - ii. **there is an appropriate distance between the proposed extension and the windows of the adjoining properties**; and
  - iii. **spacing between buildings ensures there is no harm to the character and appearance of the street scene**

#### Distance and Spacing

The appropriate distance between number 41 and the side windows of my property was established when the houses were built, approaching 100 years ago. The proposed extension would present an unbroken slab of bricks nearly half the original distance away from the windows of a ground floor habitable room (Kitchen). I will expand upon this in later sections, but suffice to say this is in conflict with Policy D2. The planning application tellingly fails to include any mention or drawing of these windows. I believe that the omission of this highly relevant detail prevents an accurate assessment of the proposal's physical impact on our living conditions.

The existing garages of 41 and 43, are broadly speaking at a similar distance from the frontage. Under the proposed plans the garage of number 41 would be brought to within less than 90cm of the front building line, leaving around 8 metres distance between the garage fronts, introducing an 8m long dark tunnel, and further introducing asymmetry to the street scene. I am not aware of any similar disparities in our road. Where garages have been added toward the front of the property line this is usually garage to garage, and these do not put a slab of wall in front of the windows of a habitable room.

### Height, Form and Roof Type

The proposed flat, vertical gable end and massive rear dormer represent a dominant and aggressive overdevelopment of the roof space that fails to respect the local context.

The properties on our road and the immediately adjacent roads retain their original architectural integrity. There is zero local precedent for a hip-to-gable conversion in the vicinity. Forcing a vertical gable end onto this property will permanently disrupt the uniform rhythm, balance, and roofline of the street scene. It will shatter the symmetrical pairing, introducing a visually jarring aspect into a row of visually identical pairs. This would likely be exacerbated by the difficulty in matching the almost 100-year-old bricks. Furthermore, at 5.8 metres wide and 2.8 metres high, there are no dormer loft additions of anything remotely approaching this immense scale in the surrounding area. The planning application does not show the properties on either side in its elevation drawings. I believe that this is because if it did it would be starkly obvious how incongruous the mismatched roof would be and how overbearing the height of the gable wall would be to No 43.

### Proportions

Adding over 50 cubic metres of roof volume, an increase of approximately two thirds to the existing volume is clearly unsympathetic in terms of proportions

The footprint of the new ground floor of the house would be over 130 square metres, an increase of over 78 square metres on the on the existing @54 square metre footprint, making the new footprint over 2.4 times the size of the original house. Again, this is a grossly unsympathetic and a clear overdevelopment.

The combined rear extension would be over 9.5 metres in depth; this would more than double the depth of the building.

## 2. Severe and unacceptable loss of daylight (Conflict with Policy D3)

I have highlighted the specific wording of Policy D3 which is in conflict with the proposed alterations

### From Policy D3: Protecting living conditions

Planning permission will be granted for development proposals which **do not cause unacceptable harm to living conditions. Where** the living conditions of proposed developments would be affected by an existing use or the living conditions of **an existing development would be affected by a proposed use, the Council will consider whether there are mitigation measures that can be taken to mitigate the harm to an acceptable level. If the Council is not satisfied that mitigation proposals would address the identified harm, development proposals will not be permitted.**

### Unacceptable harm to living conditions

The proposed extension would cause unacceptable harm to my existing living conditions in that it would excessively block light to two side windows which serve a habitable room. The proximity of the new gable and side walls would have a detrimental overbearing impact, giving a claustrophobic hemmed-in feeling.

### 45 Degree Rule

Although No 41, already blocks most of the light available within the BRE guideline 45-degree angle of my side windows, it does not block all of that sector. A good part of the 45-degree angle is still open to the front aspect and to a lesser degree to the rear aspect. The proposed extension would block the remaining part of the 45 degrees in both directions.

## Vertical Sky Component

Due to the combined effects of horizontal light blockage from the ground floor extension, and even more so from the new overbearing gable end, I have no doubt that BRE290 guidelines would be breached. I believe a Vertical Sky Component assessment would confirm that the light level would not only be below the 27% threshold, but would also be reduced by more than the 20% limit. In the event that all other objections are dismissed, I would request that the Council or the client commission an independent VSC assessment.

## Right to Light

Regardless of all other arguments, the windows of both my kitchen and my stairwell have enjoyed light coming from across the neighbouring land for well in excess of the required 20 years and therefore a legal right to light exists, via an easement under the Prescription act 1832 which gives protection via injunction and/or compensation. Because of this it would be sensible to refuse or withdraw the application.

## 3. Invalid and Inaccurate Documentation

The proposed ground floor extension is shown directly on the property boundary line, yet the architectural plans are critically deficient in technical detail.

The drawings omit any layout for structural footings or foundations. To construct a solid wall directly on the boundary, the existing separating wall on the boundary would need to be demolished in order allow the laying or footings which would inevitably trespass into the subsoil of my driveway and possibly the garage. The applicant has failed to provide clear plans demonstrating how concrete footings, structural foundations, roof copings, and drainage channels can be constructed without encroaching into my property's airspace or subsoil.

The NHDC Guidance on the Submission of Planning Applications states the following: **If the proposed building is sited on a boundary, please state whether or not there will be any encroachment (eg foundations) onto the adjoining boundary.** This is not evident on the plans, indeed, the 1:50 proposed GF plan diagram omits this and doesn't show my garage at all.

Furthermore, there are inaccuracies on the drawings with regard to the boundary.

- The proposed and existing site plan diagrams show the boundary to be on my side of the front hedges. My title deeds show exact measurements which contradict this.
- The proposed and existing elevation diagrams show a clearance of approximately 300mm between the extension and the boundary at the rear. Actual measurements show that this is not the case.

I request that the Local Planning Authority invalidate the application until sufficiently detailed and accurate plans are received.

## 4. Failure to adhere to LGC Heritage Foundation Design Principles

Although there may not be an obligation on the council to consider the LGC Heritage Foundation Guidelines, I would like to quote and point out the following areas where the proposed alterations do not adhere the guidelines in the LGCHF Modern Character Area document.

### Rear Extensions

- **The space between buildings is an important feature of the whole Garden City and shall be maintained**
- **The area and volume of the proposed extension shall be in proportion to the existing house and plot**
- **Extensions shall not lead to an unacceptable loss of amenity to neighbouring occupiers**
- **Semi-Detached Dwellings - Ground floor extensions up to a depth of 5 metres from the original main rear building line of the house may be acceptable** (The total combined depth of the final ground would extend 9.5 metres from the original building line)

### Side Extensions

- **It is preferable for extensions to be on the rear of the property**
- **The area and volume of the proposed extension shall be subservient to and in proportion with the existing house and plot**
- **Ground floor extensions shall retain a 1 metre gap to the boundary**

- **Semi-detached Dwellings - Side extensions shall retain the identity of the original property and be visually subservient. This is normally achieved by.....being significantly set back from the front building line** (The proposal is only around 90cm from the front of the building line)

#### **Garage Extensions**

- **it shall be normally ensured that: The property's frontage has capacity to provide at least two car parking spaces (standard size 2.4m x 4.8m)**
- **Proposals to link a detached garage to the main house will only be supported when it is demonstrated that it will not diminish the views to the rear gardens or detract from the original design of the property**

#### **Loft Conversions**

- **A loft conversion is generally acceptable provided it does not alter the original roof design and ridge height.**
- **any dormers and/or roof lights can have a significant visual impact and will be carefully considered**
- **Dormers shall be modest in relation to the area and slope of the roof and their scale shall not dominate or upset the balance of any building elevations or the street scene;** (The proposed dormer covers almost the entire area of the proposed, and increased rear roof area)

#### **Garages – new or extended**

- **In cases where the garage is to the front or adjacent to the property, a 1 metre gap shall be retained to the side boundaries unless it can be demonstrated that the proposal will not lead to a cramped or 'terraced' impression.**

#### **Roofs, new roofs, alterations, retiling and repairs**

- **Changes to the style and height of a roof will not normally be acceptable**
- **Roof alterations shall reflect the original roof design and specifications**

#### **Contextual Photographs**



**Side windows of habitable room (kitchen). These enjoy legal right to light and I believe would fail vertical sky component assessment if the plans proceed.**



**View from side stairwell window. This enjoys legal right to light.**



**View from the street. Black lines show proposed hip to gable conversion. Green lines show current vertical light angle, red shows changed light angles for windows with right to light.**



**Street view showing uniform original rooflines**

Thank you for taking the time to review my objection. I trust you will give these proposals and objections due consideration. I ask you to refuse the application and urge the applicants to seek an alternative solution which is less damaging and impactful.

Yours sincerely

Laurence Walker