DELEGATED FILE NOTE

CASE OFFICER: ...Jo Cousins.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00534/FPH	One and a half storey rear extension and rear dormer window to facilitate conversion of loft into habitable space (as amended by plans received 15 May 2018).	52 North Avenue Letchworth Garden City Hertfordshire SG6 1DJ

Submitted Plan Nos

52NA-S01A; 52NA-P101A; 52NA-P102A; 52NA-P202B 52NA-P203B 52NA-P204B 52NA-P203C; 52NA-P201C 52NA-P201B

1.0 Policies

LP28 House Extensions

LP57	Residential Guidelines and Standards
LP58	Letchworth Garden City Design Principles
SECT7	Requiring Good Design
XD1	Sustainable Design
XD2	Hse Extns,Replacement Dwells,Outbuilding
XD3	Protecting Living Conditions

2.0 **Site History**

2.1 None relating to the application site. However recent application granted under reference 16/02756/1HH for a similar rear extension and dormer window.

3.0 Representations

3.1 **Local Residents** - the occupiers of **50 North Avenue** have written raising objections to the loss of privacy to a conservatory the garden due to the proposed dormer window.
Express concern that the supply of bungalows is diminishing as they become 3-4 bedroom family homes meaning fewer people being able to dawn sixe and further reducing the stock of larger family home.
Ask that a note be put upon any permission as a reminder of the hours during which building works can take place and the times when bonfires can be lit.

4.0 Planning Considerations

4.1 **Site & Surroundings**

4.1 The application site comprises a detached single storey dwelling located on the north-western side of the road, with a rear garden approx. 25m long adjoining gardens of a similar length to properties in Norton Road. The dwellings on the south-eastern side of North Avenue are within the Letchworth Conservation Area.

4.2 **Proposal**

4.2 The application seeks permission for a rear extension 10m wide by 5m deep measured from the rear main wall maintaining a gap of 1.7m to the side boundary with 50 North Avenue and 1.9m from the boundary with No.54. The development would replace a rear addition 3m deep by 6.6m wide.
The extension would have a flat roof single storey section 2.5m wide adjacent to No.50 and the remaining section would have a pitched roof forming a gable end facing the rear of the property, and a ridge height 200mm lower than the parent building. This section would have a roof slope facing No.54 that would adjoin the lean-to roof of a small side addition. The roof slope facing No.50 contains three roof lights which appear to be positioned at a low level within the rooms to which they serve. An amended plan adds a rear facing window to the proposed gable and would look across the rear garden. The addition would be finished using bricks and tiles to match the parent building.

An additional window is shown in the side gable to the existing property to serve a bedroom, facing No. 50. A high level small window has been shown in the side gable facing No. 54 to light the stairwell.

A dormer window would be added to the rear roof slope of the existing building and two windows in the first floor gable ends of the existing side elevations. This essentially allows for the conversion of first floor space to provide living accommodation. Overall the resulting building would increase from a three bedroom property to four bedrooms.
Parking arrangements - no alterations to the access are proposed and two off street parking spaces would be available.

See submitted plans for full details.

4.3 **Key Issues**

4.3.1 The main issues associated with this proposal would relate to the impact of the development upon the street scene, the existing property and the affect upon the neighbouring residential amenities, in accordance with the criteria set out in policy 28, 57 and 58 of the current Local Plan, emerging Local Plan Policy and the National Planning Policy Framework.

4.3.2 Visual Impact
The general street scene is one of uniform bungalows and this property is within a conventional street scene. The proposal involves a rear single storey element which would not be readily visible in the street scene. The single storey side/rear element would form an extension of an existing side element have a minimal impact upon the front elevation of this property and would not be dominant in the street scene. Given the fall back position that a 5m deep single storey addition could be considered under the neighbourhood consultation scheme I do not consider that the addition would have a material impact upon the character and appearance of the area in general.
In addition the rear extension has a roof design that compliments the form of the existing dwelling.
Whilst a rear dormer is proposed it would not be visible in public views and would have a neutral impact upon the property.
The development in my view, complies with guidance provided in Local Plan Policy 28, 57 and 58, emerging policy and the guidance set out in the NPPF. I therefore consider the external form of the development to be acceptable, which would not disrupt any public views of the property and would therefore have no adverse impact on the visual amenities of the locality.

4.3.3 Residential Amenity

Policy 28 and 57 are intended to safeguard against extensions that would have an unacceptable impact or harm the amenities of the neighbouring properties. The two storey rear extension projects further than 3m, with a distance of 5m but is set away from the boundaries with both side neighbouring properties. I do not consider that the extension would have a poor relationship to either neighbouring property in terms of relationship and scale, being set off the boundaries.

In terms of privacy there are new windows at first floor level which include side rooflights and side windows in the gable ends. I have assessed these and given the current situation, being bungalows, feel that it is reasonable to condition all the side windows, with the exception of the small window facing No.54, to ensure that adequate privacy is maintained here such that are at such a height or obscure glazed so as to prevent undue overlooking. With regard to the rear dormer window I acknowledge that this could be constructed as permitted development by virtue of The Town and Country Planning (General Permitted Development)(England) Order 2015, Schedule 2, Part 1,Class B (see further analysis below at 4.3.5). Given its location and that it affords views rear wards rather than directly down on the neighbour I do not consider this would be unreasonable or that a justifiable reason for refusal here could be sustained on appeal. I therefore conclude that the development would not have such an adverse impact upon the amenities that the neighbouring properties currently enjoy.

4.3.4 Local Representations

I have considered the comments expressed by the adjacent residents who are specifically concerned regarding issues of privacy. They have not mentioned the side windows and I feel that these would have far more impact upon privacy than the dormer. The proposed rooflights are set low in the side slope and there is not the space to position them high enough to overcome concerns. The bedroom window in the gable end could be obscure glazed as this would be a secondary window to the proposed dormer. The side windows can in my view appropriately and reasonably be controlled by conditions and this would also be in line with the spirit of the General Permitted Development Order.

4.3.5 With regard to the dormer window permitted development is specified as:

- ***any part of the dwellinghouse would, as a result of the works, not exceed the height of the highest part of the existing roof;***

- ***any part of the dwellinghouse would, as a result of the works, not extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;***

- ***the cubic content of the resulting roof space would can not exceed the cubic content of the original roof space by more than50 cubic metres in any other case;***

- ***it can not consist of or include—***

(i)the construction or provision of a verandah, balcony or raised platform, or

(ii)the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

- ***the dwellinghouse can not be on article 2(3) land.***

The proposed dormer would comply with the above requirements and the following conditions:-

(a)the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

(b)the enlargement must be constructed so that—

(i)other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension—

(aa)the eaves of the original roof are maintained or reinstated; and

(bb)the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and

(ii)other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and

(c)any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be—

(i)obscure-glazed, and

(ii)non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

The dormer could be constructed as permitted development and would be beyond the control of the Local Planning Authority. It has been shown on the plans and I have assessed the impact on the neighbours amenity (they have an approx. 3m deep rear extension with a conservatory approx. 3.7m deep added to this and set in from the boundary with No.52) concluding that it would not be in a position that would be so unreasonable or so detrimental to justify the refusal of planning permission and to defend this on any subsequent appeal.

The adjacent occupants also seek assurances regarding aspects of the development process and these would in my view be matters for the Councils Environmental Protection team should a nuisance arise during the course of construction.

4.3.6 Car Parking/Highway considerations

The proposal will result in the creation of a 4 bedroom dwelling with two off street parking spaces available. The site is within easy access to public transport facilities and Letchworth Town centre. I therefore consider that the parking arrangements at the site are acceptable.

4.4 **Conclusion**

4.4.1 In the absence of any material or sustainable ground to object I have framed a favourable recommendation accordingly.

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.

3. The three rooflight windows proposed in the side roof slope and the side gable window in the existing building (facing 50 North Avenue), hereby granted permission, shall be permanently glazed with glass of a minimum opacity level 2 of the range of glass manufactured by Pilkington plc at the date of this permission or of an equivalent standard agreed in writing by the local planning authority and thereafter permanently maintained as such, unless the openable parts are at a height of more than 1.7 metres above the floor level of the internal space to which they serve.

   Reason: To safeguard to privacy for the occupiers of neighbouring dwellings.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. 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  Tom Rea Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF

Date: 10 July 2018	