DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00183/S73	Section 73 application: Enlargement of proposed dwelling as Minor Amendment to Planning permission 14/03354/1 granted 26.02.2015	1 Milestone Road Hitchin Hertfordshire SG5 2TH

Submitted Plan Nos

Loc Plan Proposed plans

1.0 Policies

LP8 Development in Towns

LP26	Housing Proposals
LP55	Car Parking Standards
LP57	Residential Guidelines and Standards
SECT6	Delivering Wide Choice High Quality Home
SECT7	Requiring Good Design
SPDVP	Vehicle Parking at New Development
XD1	Sustainable Design
XD3	Protecting Living Conditions

2.0 Relevant History

2.1 Permission granted in February 2015 for a detached three bed dwelling under reference 14/03354/1.

3.0 Representations

3.1 **Hertfordshire Highways:** No objections raised - recommend conditions.

3.2 **Site Notice/Adjoining occupiers:** Letter received from the owners of 3 Milestone Road raising the following concerns:

- Still object as overbearing, imposing, overshadowing, adverse impact on area
- chimney increases height and dominance factors, and enlarged dwelling is closer to property
- Proposed house would have a negative impact on the locality
- Would detract from the spacious character of the area
- Detached property would be out of keeping
- Overbearing/dominating impact and loss of privacy
- Overshadowing and loss of sunlight

- Loss of amenity and parking during construction
- Visually obtrusive in the street scene
- Design not in character i.e. front bay window
- An overdevelopment with poor relationship to existing properties
- Inadequate garden size
- Query whether the ground is suitable for a soakaway
- Contrary to Policy 57 privacy / garden depth distances
- Would contravene Draft Local Plan policy D3 (overlooking and dominance)

4.0 Planning Considerations

4.1 Site & Surroundings

4.1.1 The rectangular shaped application site (203 sqm) is located between No. 23 Burford Way and No. 1 Milestone Road and would occupy part of the former garden of No. 1 Milestone Road with a frontage onto Burford Way.

The site has an overall depth of 18m and a width of 11m. There is a slight slope from the front of the site down to the carriageway level on Burford Way with a wide grassed verge between the front boundary hedge and the road. The site itself is relatively flat and enclosed along the Burford Way frontage by a 3m hedge which appears to be within the grassed highway verge. The site is open with no significant trees being mainly a lawn to No. 1 Milestone Road.

The character of the area is predominantly residential with the surrounding properties being generally two storey with gables roofs. Many dwellings do not have garages or parking spaces and rely on on-street parking.

4.2 Proposal

4.2.1 There is a previous application granted on this site described by the previous case office as:
Construction of a detached three bedroom house to be sited centrally within the plot set back 2.8m from the front boundary and 8m from the rear boundary. The dwelling would be sited a minimum of 2.8m from the side boundary with No. 23 Burford Way and 0.9m new garden boundary with No. 1 Milestone Road. The gap between the flank wall of the new house and the main flank wall (excluding garage) of No. 23 Burford Way would be 6m.
The proposed new dwelling would be of a traditional two storey design with external walls entirely in brick with a tiled roof. A brick chimney stack is proposed on the west facing elevation. The dwelling would be 7m deep and 7m wide overall. The design shows a gabled roof with a maximum ridge height of 6.9m. Pedestrian access is at the front and two tandem parking spaces are allocated at the side of the dwelling with a small front garden. Vehicular access is directly onto Burford Way.

4.2.2 The current application seeks to vary the development and proposes the infilling of the rear quadrant to bring the rear wall level with the gable projection and thus forming an additional rear gable. This would allow for the creation of a modest en-suite to the main bedroom. See submitted plans.

4.3 Key Issues

4.3.1 The key issues are design and layout and impact on local character, impact on

neighbours and parking. The previous application was assesses as follows (para 4.3.2 to 4.3.9):-

4.3.2 **Design and layout and impact on the character of the area**
The proposal is for a two storey detached dwelling of a traditional form and appearance. Burford Way is characterised by mainly two storey semi-detached dwellings with off-street parking. Behind Burford Way in Portman Close there are detached dwellings with small gardens.

Taking into account the mix of dwellings in the locality which include two storey dwellings I consider that the proposed dwelling would not be unsympathetic to the prevailing pattern of development.

The layout is such that the dwelling is set forward of No. 23 Burford Road by 3.5m however this stagger is not unusual in Burford Way given the step opposite the site between Nos 36 and 38 and the break between Nos 7 and 9 Burford Way further along the road. As such I do not consider the siting of the new dwelling is out of keeping or dominant in the street scene.

The footprint of the dwelling is similar in floorspace terms to the footprint of all of the adjacent dwellings and the scale of the dwelling is in proportion to the size of the plot and sympathetic to the height of adjoining dwellings.

At the front of the site the appearance of the development is softened by the provision of a small garden area in front of the dwelling. Parking is provided to the side of the dwelling thus reducing the impact of parked cars on the street scene.

I consider that the proposal represents an unobtrusive form of development that does not dominate the street scene or detracts from the character of the area.

4.3.3 With specific regard to design I consider that the traditional approach is in context with the majority of the surrounding buildings which are of a traditional suburban estate character. The fenestration pattern is simple and in proportion to the scale of the building and the gabled roof form and chimney detail typical of roof forms present in the locality.

4.3.4 The proposed dwelling would have private rear amenity space of over 80 sqm and the retained garden at No. 1 Milestone Road would also provide at least 130 sqm of private amenity space. This amount of amenity space provision, particularly in relation to the new dwelling, comfortably meets the recommended amenity space standards set out in Policy 57 of the local plan.

4.3.5 In general I conclude that the design, form and layout of this development successfully integrates with and complements the neighbouring buildings and the street scene in accordance with the advice in the Framework.

4.3.6 **Relationship with adjoining properties**
The proposed building would be located to the west of No. 23 Burford Way with the separation distance between the main flank walls of the new and existing dwellings being 6 metres. The new dwelling has a similar ridge height as No. 23 and given the gap and orientation between the dwellings it is concluded that the new dwelling would not have any overbearing impact on or loss of light to the occupiers of No. 23. It is noted that the new dwelling does not project beyond the rear boundary of No. 23 therefore there would be no loss of light to the private rear amenity area of

No. 23.

No. 3 Milestone Road is located to the south west of the new dwelling some 13m distant at the nearest point. The relationship is oblique however with the new dwelling overlooking the end of the rear garden of No3. Given the orientation and the fact that No. 3 is located to the south of the new dwelling I do not consider that the occupiers will suffer any loss of light or over dominance.

Two first floor rear facing windows are proposed however the nearest window to No. 3 is an obscure glazed bathroom window and this could be secured as obscure glazing by condition.

The dwelling has a 8m deep rear garden. Queries have been raised by the neighbour regarding back to back distances but this part of Policy 57 would not apply in this instance as the relationship with the Milestone Road properties is back to side.

4.3.7 The setback of the dwelling from the highway boundary is such that there would be no physical impact on the visual or residential amenities of residents living opposite the site.

4.3.8 I conclude that the development would therefore have an acceptable impact on the living conditions of adjacent occupiers.

4.3.9 **Access and Parking issues**
The proposal involves the provision of a new vehicular access onto Burford Way effectively being a widening of the existing access which serves No. 23 Burford Way. The Highway Authority do not raise objections and suggest conditions and as such I consider the proposals acceptable in highway safety terms.

The proposed development would provide two car parking spaces which is in accordance with the Council's adopted supplementary planning document 'Vehicle Parking Provision at New Development' (2011). The application site is in a sustainable location being only several minutes walk to local shops in John Barker Place, Priory School and Oughton Primary School. Unrestricted parking is available in Burford Way and Milestone Road I can therefore see no sustainable objections to the application in relation to car parking provision.

4.3.10 **Current application – material changes**
The application proposes a very small increase in the footprint which would bring the corner of the proposed dwelling level with the proposed rear wall. No windows are proposed in the flank wall and given that the rear window would serve a bathroom and is to be conditioned as obscure glazing I do not consider that this would have any significant or material change to the amenities of the neighbouring properties here.
The change would have some impact on the visual amenity of the area but this would be limited as its is to the rear elevation. Overall I remain satisfied that the introduction of an additional gable feature would not compromise the character or appearance of the area.

4.4 **Conclusion**

44.1 Having regard to local plan policies and the advice in the Framework, it is

considered that this proposal achieves the provision of high quality housing in a sustainable location without detriment to the highway network or adjacent residents amenity.

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A, B, C, D and E of Part 1 of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the Local Planning Authority. Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the area.

4. No new windows or other openings shall be inserted at first floor level in either flank elevation of the development hereby permitted unless approved in writing by the Local Planning Authority. Reason: In the interests of the residential amenities of adjacent occupiers.

5. The window at first floor level on the rear elevation (left hand side above the living room as viewed from the new rear garden) of the development hereby permitted shall be permanently glazed with obscure glass. Reason: To safeguard the privacy of the occupiers of the adjacent dwelling.

6. The development hereby permitted shall not be brought into use until the proposed access has been constructed and the footway has been reinstated to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction. Reason: In the interests of highway safety and amenity.

7. Before the access is first brought into use 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained each side of the access. They shall be measured from the point where the edges of the access way cross the highway boundary, 0.65 metres into the site and 0.65 metres along the highway boundary. Therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 600 mm and 2.0 metres above the footway level. Reason: To provide adequate visibility for drivers entering and leaving the site.

8. The access shall be 3.0 metres wide. Reason: So that vehicles may enter and leave

the site with the minimum of interference to the free flow and safety of other traffic on the highway and for the convenience and safety of pedestrians and disabled people.

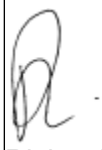
9. 4. The access shall be constructed in a hard surfacing material for the first 5 metres from the back edge of the footway. Reason: To prevent loose material from passing onto the public highway which may be detrimental to highway safety.

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.

Informative/s:

Works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication Roads in Hertfordshire Highway Design Guide. Before proceeding with the proposed development, the applicant shall contact hertsdirect@hertscc.gov.uk or for information use the HCC website www.hertsdirect.org. or call on 0300 1234 047 to obtain the requirements for a section 278 agreement for the associated road works as part of the development. This should be carried out prior to any development work is carried out. Reason: To ensure that work undertaken on the highway is constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the Public Highway.

Signed  Richard Tiffin Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 11 April 2018	