



APPEAL BY:
Mr Parm Basra

AGAINST THE NORTH HERTS COUNCIL REFUSAL
TO GRANT PLANNING PERMISSION FOR:

*Erection of one self-build detached 3-bed bungalow with associated parking and
landscaping*

AT

10 St Katherines Close, Ickleford, Hitchin, Hertfordshire, SG5 3XS

North Herts Council's Reference: 24/02752/FP

WRITTEN REPRESENTATIONS: GROUNDS OF APPEAL

MARCH 2025

RJS PLANNING

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1.0 INTRODUCTION

1.1 This statement has been prepared by RJS Planning, on behalf of Mr Parm Basra, in support of the appeal lodged against the refusal of planning application 24/02752/FP.

1.2 The application was received by the Council on 17th December 2024 and sought planning permission for the 'Erection of one self-build detached 3-bed bungalow with associated parking and landscaping' in Ickleford, Hitchin, Hertfordshire. The application was subsequently refused on 25th February 2025, with the decision notice stating the following reasons for refusal:

1. *The proposed dwelling, by reason of its location and restricted plot size, would result in unacceptable back land development that is contrary and harmful to the distinctive spatial character of the area. As a result the development is contrary to the provisions of Policies SP9 and D1 of the Submission Local Plan 2011 – 2031 as it would not be sympathetic to the surrounding built environment and fails to improve the character and quality of the area and the way it functions.*
2. *The proposed development, by reason of the restricted plot size, the height and scale of the proposed dwelling and its close proximity to neighbouring properties would give rise to an overbearing impact on and general loss of amenity to neighbouring occupiers to the detriment of their living conditions. The proposal would fail to provide and maintain an adequately high standard of environment resulting in an overdevelopment of the site contrary to the provisions of Policy D3 of the Submission Plan 2011 - 2031.*

1.3 This grounds of appeal will address the central concerns raised within the Council's reasons for refusal, notably:

- Whether the proposed dwelling, by reason of its location and restricted plot size, would result in unacceptable back land development that is contrary and harmful to the distinctive spatial character of the area, as it would not be sympathetic to the surrounding built environment and fails to improve the character and quality of the area and the way it functions; and
- Whether the proposed development, by reason of the restricted plot size, the height and scale of the proposed dwelling and its close proximity to neighbouring properties would give rise to an overbearing impact on and general loss of amenity to neighbouring occupiers to the detriment of their living conditions; and
- Whether the proposal would fail to provide and maintain an adequately high standard of environment.

1.4 To set some context, this statement will first provide a description of both the appeal site and the proposed development. This statement will then discuss the relevant national and local planning policy before responding to the Council's concerns.

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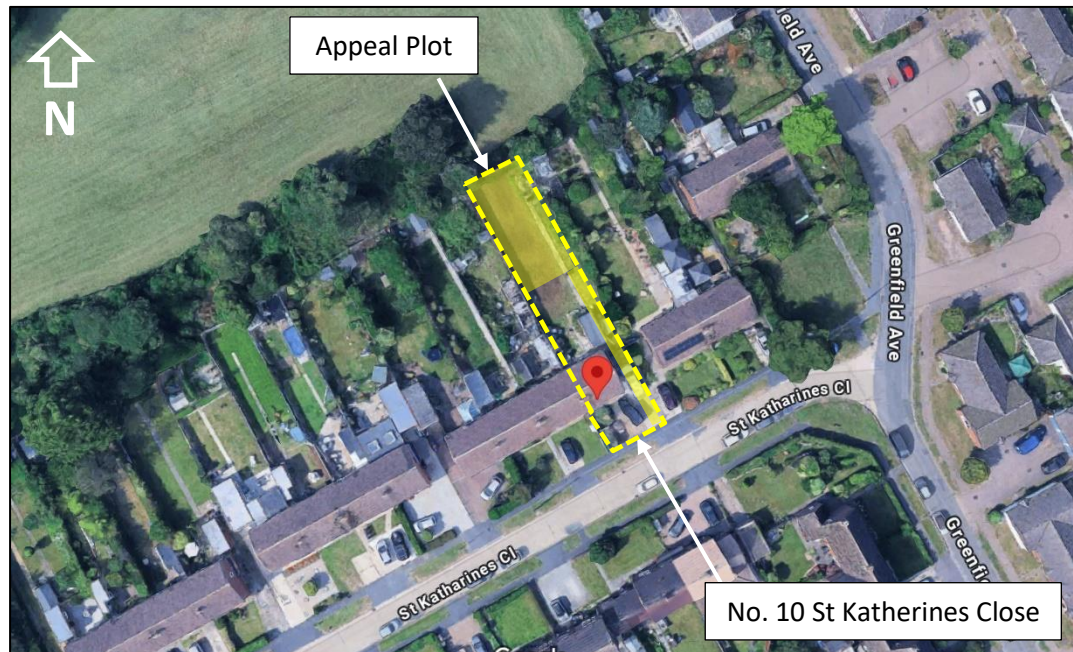
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2.0 RELEVANT PLANNING HISTORY

2.1 There is no relevant planning history relating to the appeal site.

3.0 THE APPEAL SITE

3.1 The appeal property No. 10 is a two storey end-of-terrace house which fronts the northwest side of St Katherines Close, with a field at the rear. The site is located on the northwest boundary of the village, on the edge of a predominantly residential area that is bordered by countryside.



Appeal Site and Surrounding Area

3.2 The property is neighboured by semi-detached bungalow No. 8 St Katherines Close to the northeast, and mid-terraced house No. 12 to the southwest, with both neighbouring dwellings having long rear gardens that match the depth of that at No. 10, abutting the field to the northeast at the rear.

3.3 The proposed plot will be subdivided from the rear garden of No. 10, and the driveway of the host property, adjacent to the driveway at No. 8, will be utilised for parking and access to the new bungalow.

3.4 The site is not located within a conservation area or located close to any listed buildings.



No. 10 St Katherines Close

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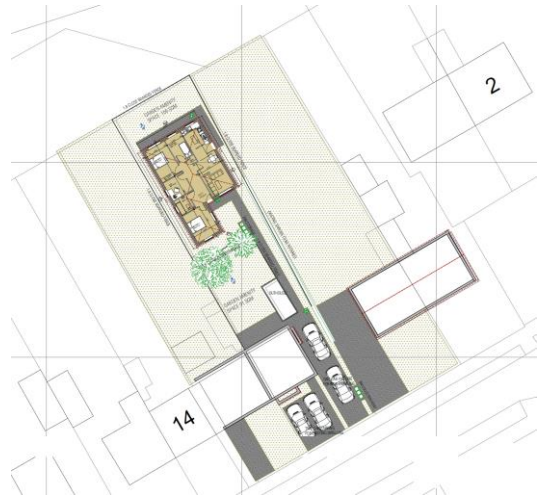
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4.0 PROPOSED DEVELOPMENT

4.1 The appeal proposal sought planning permission for the erection of one self-build detached 3-bed bungalow with associated parking and landscaping on land to the rear of No. 10 St Katherines Close.

4.2 The existing site measures 520m² and this is to be subdivided to create a separate plot for the new bungalow.

4.3 No. 10 will also retain a rear garden area of 91m² and the new dwelling will have an outdoor amenity area of 106m².



Proposed Site Plan

4.4 The bungalow will be L-shaped, measuring a maximum 11.174m in depth and 8.479m in width, set in a minimum of 1.0m from the side boundaries with No. 8 St Katherines Close to the northeast and No. 12 St Katherines Close to the southwest. The bungalow will also be set 14.5m from the rear elevation of No. 10 and will be separated by a 1.8m high close boarded fence, which will enclose the new plot.

4.5 The new bungalow will have brick walls and a tiled hipped roof, with a low eaves of 2.75m and maximum height of 5.284m; its main windows and doors will be upvc and with the front door opposite the rear elevation of the host dwelling and a secondary door into the kitchen on the side adjacent to No. 8.

4.6 The new bungalow will be a single storey, 3 bedroom, 5 person dwelling, with an internal floor area of 87.278sqm, consisting of an entrance hall with storage cupboard, a living room, a kitchen/dining room, a study and a bathroom, together with 2 double bedrooms, and a single bedroom.



Proposed Elevations

4.7 Parking for the new bungalow will be positioned to the northeast side of the host property, upon the former driveway of No. 10, whilst the front curtilage of No. 10 will provide two parking spaces for the existing property.

5.0 RELEVANT PLANNING POLICY

5.1 The reasons for refusal refer to Policies SP9, D1 and D3 of the Submission Local Plan 2011 – 2031. The National Planning Policy Framework (2024) is also relevant to this appeal.

5.2 The following paragraphs provide a brief summary of the relevant policies. The paragraphs are in a hierarchical order relative to the importance of national and local planning policy.

National Planning Policy Framework – December 2024 (NPPF)

5.3 The NPPF (December 2023) sets out the Government's planning policies for England and how these are expected to be applied, this document replaces the revised NPPF published in December 2023. The following sections and paragraphs make reference to the parts of the NPPF which are directly relevant to this enforcement appeal.

Achieving sustainable development

5.4 The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives) – economic, social and environmental.

Presumption in Favour of Sustainable Development

5.5 Paragraph 11 of the NPPF advises that plans and decisions should apply a presumption in favour of sustainable development.

5.6 For plan-making this means that:

- a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;*
- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or**

- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

5.7 For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or*
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.**

Decision-making

5.8 Paragraph 39 states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Enforcement

5.9 Paragraph 60 states that “Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate.”

Delivering a sufficient supply of homes

5.10 The government’s objective is to significantly boost the supply of homes, with paragraph 61 stating “it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The

overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community."

- 5.11 Paragraph 62 also adds that *"To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for."*
- 5.12 Paragraph 63 explains that *"Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing (including Social Rent); families with children; looked after children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes."*

Making effective use of land

- 5.13 Paragraph 124 states that *"Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land."*

Achieving well-designed places

- 5.14 Section 12 of the NPPF describes how the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, stating that *"Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*.
- 5.15 Paragraph 135 states that planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

5.16 Whilst Paragraph 139 highlights that development that is not well designed should be refused, it also states that conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.*

The Submission Local Plan 2011 – 2031 (2019)

5.17 This Local Plan sets out the long term vision for the district by identifying how and where new homes, jobs and infrastructure will be delivered. The plan encourages high-quality sustainable design and consideration for the natural environment.

Policy SP9: Design and Sustainability

5.18 The Council considers good design to be a key aspect of sustainable development, and will be “*Support new development where it is well designed and located and responds positively to its local context.*”

Policy D1: Sustainable design

5.19 Planning permission will be granted provided that development proposals:

- a) Respond positively to the site’s local context;*
- b) Take all reasonable opportunities, consistent with the nature and scale of the scheme, to:*
 - i. create or enhance public realm;*
 - ii. optimise the potential of the site by incorporating Sustainable Drainage Systems (SuDS);*
 - iii. reduce energy consumption and waste;*
 - iv. retain existing vegetation and propose appropriate new planting;*

v. maximise accessibility, legibility and physical and social connectivity both internally and with neighbouring areas;

vi. future proof for changes in technology and lifestyle;

vii. design-out opportunities for crime and anti-social behaviour; and viii. minimise the visual impact of street furniture and parking provision;

c) Have regard to the Design SPD, and any other relevant guidance;

d) Within Letchworth Garden City have regard to the Letchworth Garden City Design Principles contained in Appendix 5; and

e) For residential schemes, meet or exceed the nationally described space standards and optional water efficiency standards.

Policy D3: Protecting living conditions

5.20 Planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions.

5.21 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.

6.0 THE APPELLANT'S CASE

Introduction

6.1 The appellant's case will focus on the central concerns of the reasons for refusal, notably:

- Whether the proposed dwelling, by reason of its location and restricted plot size, would result in unacceptable back land development that is contrary and harmful to the distinctive spatial character of the area, as it would not be sympathetic to the surrounding built environment and fails to improve the character and quality of the area and the way it functions; and
- Whether the proposed development, by reason of the restricted plot size, the height and scale of the proposed dwelling and its close proximity to neighbouring properties would give rise to an overbearing impact on and general loss of amenity to neighbouring occupiers to the detriment of their living conditions; and
- Whether the proposal would fail to provide and maintain an adequately high standard of environment.

6.2 The following consultation responses were received by the Council:

Nearby owners/occupiers: Two objections were made which are summarised as follows:

- Plot is too small
- Harm to on-street parking
- Increased noise to neighbours
- Loss of privacy.

Comments from Consultees:

Ickleford Parish Council: None received.

Environmental Health (Noise, Air and Contaminated Land): No objection subject to conditions.

Waste and Recycling: None received.

6.3 The main planning considerations in the determination of this appeal are:

- Principle of development
- Impact on the Character of the Area
- Design and Appearance
- The impact of the development on living conditions
- Highway and parking matters
- Environmental matters

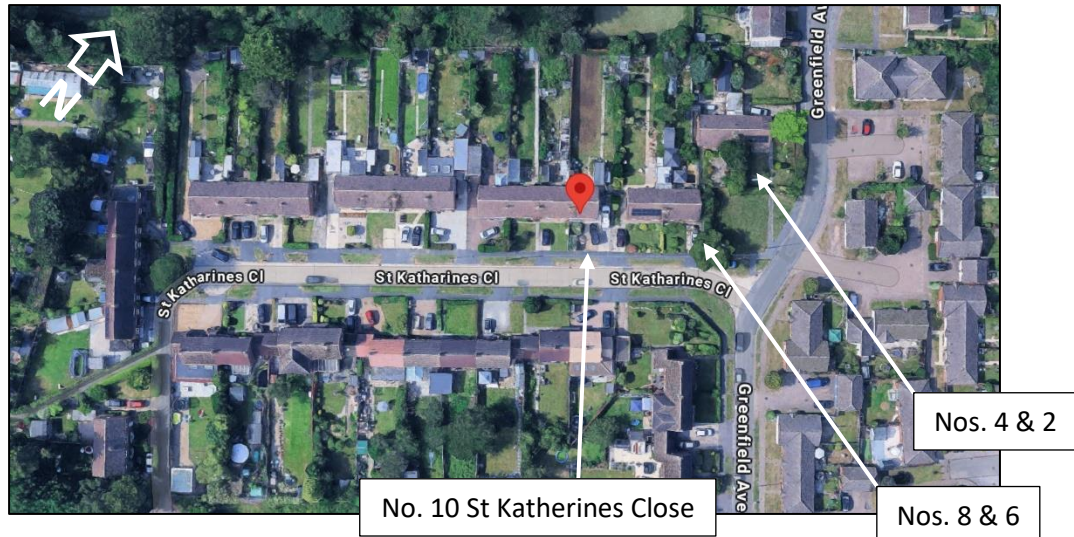
Principle of Development

- 6.4 The principle of the development is strongly supported by the sentiments of the NPPF 2024, with Section 2 commenting on the importance of the social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations.
- 6.5 Section 5 relates to the delivery of a sufficient supply of homes, with paragraph 63 stating that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to), those who require affordable housing (including Social Rent); families with children; looked after children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes.
- 6.6 At a local level, Policy SP2: Settlement Hierarchy and Spatial Distribution of the North Hertfordshire Local Plan 2011-2031, states that *“Between 2011 and 2031, the plan makes provision for at least 13,000 new homes”* with approximately 80% of the District’s housing development and the substantial majority of new employment, retail and other development to be located within the adjusted settlement boundaries of the towns of Baldock, Royston, Hitchin, Letchworth Garden City, Stevenage (including Great Ashby) and Luton. Approximately 13% of housing, along with supporting infrastructure and facilities will be delivered within the adjusted settlement boundaries of five villages of Barkway, Knebworth, Codicote, Little Wymondley and Ickleford.
- 6.7 The level of development proposed for Ickleford is 235 new dwellings, as this is one of the five villages identified to will support higher levels of new housing allocations than the Category A villages, with Ickleford and Little Wymondley identified in the supporting text for Policy SP2 to provide opportunities to accommodate further residential development in close proximity to neighbouring towns along with sustainable transport connections.
- 6.8 This is a self-build project which will be located within the village boundary of Ickleford and together with providing a sustainable form of development, will make better use of the large plot. There are also economic and social benefits of allowing the proposal, relative to the scale of development for a single dwelling, and the Council has also acknowledged that there are some environmental benefits through the incorporation of sustainable building features, with the Planning Officer having stated that *“Overall, moderate weight is attributed to these benefits.”*
- 6.9 The Council also confirmed that, in this case, *“The site is located within the Settlement of Ickleford where Local Plan Policy SP2 supports the development of housing within the settlement boundary. Development of the site for housing would therefore be supported in principle under Policy SP2.”*

- 6.10 This proposal would provide one new bungalow, representing a positive contribution to the supply and mix of housing within the Borough, with the provision of bungalow accommodation able to provide a vital more accessible and flexible form of development, which can serve as disabled or elderly person accommodation.
- 6.11 Bungalows in general are a style of property that is in demand and short in supply, with very few being built. This ought to be considered an important factor in the overall planning balance, having regard to the presumption in favour of sustainable development.
- 6.12 The following paragraphs will assess the development in regard to the immediate site context and the possible impact on the wider character of the existing residential setting, including the spatial standards and the overall value of the surrounding area.

Impact on the Character of the Area

- 6.13 The NPPF states in paragraph 131 that *“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”*, with the proposed bungalow having been purposefully designed to meet the objectives of paragraph 135 which requires developments to function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; whilst being visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and being sympathetic to local character and history, including the surrounding built environment and landscape setting, with appropriate innovation or change (such as increased densities) not prevented or discouraged.
- 6.14 These objectives are supported by Policy D1 of the Local Plan as described previously in paragraph 5.19 of this statement, which lists the criteria by which planning permission will be granted for development proposals, with these including the need for development to respond positively to the sites local context, to take all reasonable opportunities, consistent with the nature and scale of the scheme to create or enhance the public realm, to be sustainable, retain or add to existing vegetation and propose appropriate new planting; maximise accessibility and future proof for changes in technology and lifestyle. Furthermore, Policy SP9 also adds that development will be supported where it is well designed and located and responds positively to its local context.
- 6.15 The area surrounding the appeal site has been assessed by the Council, and they state that St Katherines Close has a relatively consistent building line with dwellings sited close to the highway with small front gardens providing off-street parking. However, this is not an accurate description of the immediate locality. As pictured on the aerial view below, St Katherines Close contains a mix of two storey houses arranged in short terraces with stepped front building lines to both sides of the highway. Adjacent to No. 10, towards the east, here are also two pairs of semi-detached bungalows at Nos. 2 – 8.



- 6.16 The bungalows at Nos. 6 and 8 are only set back slightly behind the front building line of No. 10, however, Nos. 2 and 4 are set back a considerable distance behind the neighbouring properties, with the pedestrian access from St Katherines Close, No. 4 is reached via a pathway to the side of No. 6, and No. 2 has a footpath through the open greenspace to the front of the paired dwellings, with a driveway to the side on to Greenfield Avenue.



Properties within St Katherines Close

- 6.17 The bungalows at Nos. 2 and 4 in particular therefore have a different spatial arrangement to other dwellings on St Katherines Close, with the set back and smaller rear garden areas being adjacent to the appeal site which will also provide a low level bungalow, set further back from the highway and the two storey properties that front the main highway. However, the Planning Officer has dismissed the relevance of this by stating *“With the exception of these two dwellings being an anomaly, the rest of the properties benefit from long and narrow rear gardens. As such, I consider that development within the garden of No.10 would be classed as ‘back land’ development which would be contrary to the prevailing character.”*

- 6.18 In response, it is strongly argued that the position of the neighbouring bungalows should not be ignored as they are a legitimate and original part of the housing layout, with many more bungalows nearby that also have a contrasting housing layout in comparison to the adjacent two storey terraced houses.



Street View facing Northeast towards Greenfield Avenue



Bungalows on Greenfield Avenue opposite the Junction with St Katherine Close



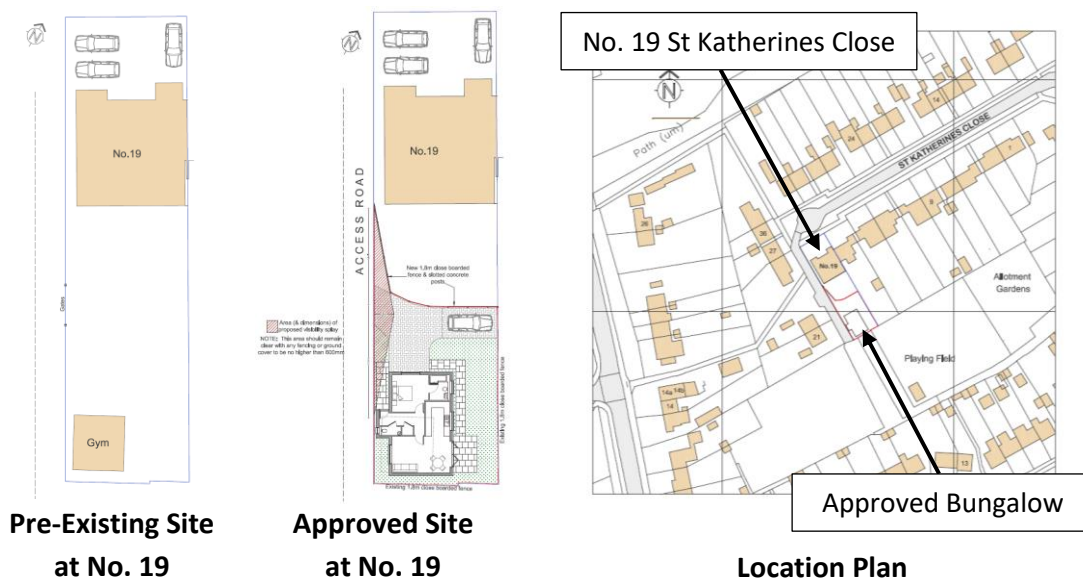
Bungalows close to the Appeal Site

- 6.19 The Delegated Report goes on to state that *“Back-land development such as that proposed, would result in material harm to the character and appearance of the area, eroding the spacious quality that currently exists.”* This is despite the fact that the proposed low level bungalow will not be readily visible from any public highway, and if viewed from the field to the rear, it will appear as either an outbuilding or part of the surrounding residential development adjacent to the appeal site to the east of the plot belonging to No. 10, which currently consists of bungalows in smaller plots.



Proposed Site Plan

- 6.20 Although the Council has acknowledged that back-land development has been granted to the rear of No. 19 St Katherines Close under application reference 21/00457/FP, with the 'Erection of one detached self-contained one-bed bungalow (as amended by plan received 19.03.2021)' approved on 7th April 2021 (see **Appendix A**), this has been disregarded with the Planning Officer having stated *"No.19 is a corner plot, the approved bungalow has been oriented to front onto St. Katherines Close and therefore continues the linear street scene building line with dwellings on both sides of the street. Therefore, in my view, I do not give any weight to this decision."*
- 6.21 In response to the above comments, it is important to take into account the actual position of the new bungalow permitted on garden land to the rear of No. 19 St Katherines Close, which is located on a comparable back-land site, as illustrated below.



- 6.22 Whilst it is acknowledged that a narrow single lane at the end of St Katherines Close continues down the side of the plot belonging to No. 19, this does not appear as part of the main highway and does not alter the fact that a bungalow has been approved on a rear garden area of No. 19, which shortens the host property's garden and alters the spatial arrangement in the same way as the current proposal at No. 10.
- 6.23 The Planning Officer's Delegated Report for No. 19 notes that the proposal would subdivide the site, resulting in two smaller separate residential curtilages, and whilst adding that ***"Most existing residential development has larger plots with a lower density, however Nos. 27 and 36 St Katherines Close nearby to the north have plots of a comparable size to that proposed, while further to the east on Greenfield Avenue are numerous dwellings (many of them bungalows) with similar plot sizes to that proposed. I consider the sub-division compatible with the pattern and grain of development in the locality."*** These comments highlight what has been described earlier in this statement, confirming that smaller plots and many bungalows exist in the locality, and in particular, the ones mentioned on Greenfield Avenue are close to No. 10.

- 6.24 The Planning Officer's Delegated Report for No. 19, goes on to state that ***"The proposed bungalow would be a different type of dwelling to its two storey immediate neighbours, however there are bungalows on St Katherines Close and Greenfield Avenue a short distance away to the east, therefore I consider that a bungalow on this site would not be harmful to the character of the area."***
- 6.25 In regard to the approved bungalow at No. 19, the method of access, the back-land development and the length of neighbouring gardens, were not considered issues that counted against the proposal. Also there was no mention of the bungalow facing the narrow access lane being a consideration or positive factor, which the Council now claim makes all the difference when compared with the proposed development at No. 10. The images below show the access and location of the approved bungalow behind No. 19.



- 6.26 Overall, given that the bungalows neighbouring No. 10 were seen as justification for allowing a new bungalow at the rear of No. 19, and it was considered that no harm would be caused to the character of the area or residential setting in general, it is strongly argued that there is no justification to refuse the proposal to the rear of No. 10 by reason of its location and restricted plot size, as it would clearly not result in ***"unacceptable back land development that is contrary and harmful to the distinctive spatial character of the area, as it would not be sympathetic to the surrounding built environment and fails to improve the character and quality of the area and the way it functions"*** as claimed in the reason for refusal.
- 6.27 For clarification, it is also important to point out that although the construction of the bungalow at No. 19 is not yet complete, the works have begun on site, with a certificate of lawful development obtained under planning application reference 24/00348/LDCE on 18th April 2024 (see **Appendix B**), which confirms that ***"The Council is satisfied that, on the balance of probabilities, sufficient evidence has been provided to establish that the new bungalow identified in the application commenced before the expiry date of the planning permission 21/00457/FP."***

- 6.28 Furthermore, a new dwelling was also granted adjacent to No. 21 St Katherines Close under planning application reference 22/02765/FP, on 11th January 2023, for the 'Erection of an end-of-terrace two-bedroom dwelling following the demolition of the existing detached garage and minor alterations to the existing dwelling, together with associated parking area, private residential gardens, hard and soft landscaping for both the existing and proposed dwellings' (see **Appendix C**).
- 6.29 Although a different type of dwelling, as it will be a two storey attached house, it will be located off the main highway, and on garden land belonging to No. 21, with the Officer's Report for this development stating *"It is acknowledged that this would result in the extension of the terrace and may give rise to some visual impacts for the locality, however, given its sympathetic form and suitable scale to fit within the plot, the proposed development is unlikely to detract from the appearance of St Katherines Close."*



Nos. 21 and 23 St Katherines Close

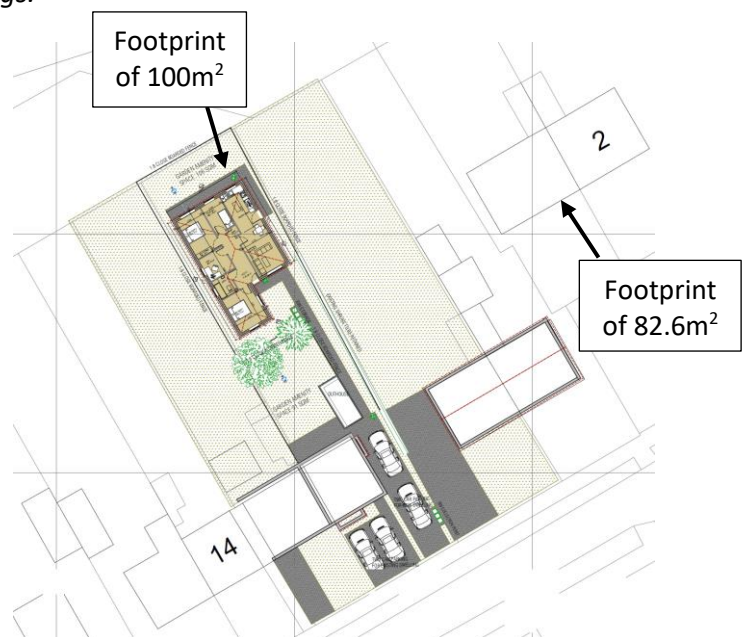


Location of Approved House

- 6.30 The approved property adjacent to No. 21 is also accessed from the narrow single lane at the western end of St Katherines Close and is therefore located close to the rear of long rear gardens of neighbouring dwellings and the allotments beyond. The new dwelling will align with the existing semi-detached pair, however, it will not follow the general housing layout. Nevertheless, this development has been considered acceptable, with the Officer's Report stating *"it is considered that the proposed development would result in no unacceptable overbearing impact upon neighbouring occupiers and is therefore compliant with Policy 28 of the District Local Plan, Policy D3 of the local plan and the aims of the National Planning Policy Framework"*.
- 6.31 In summary, the proposal at No. 10 St Katherines Close ought to be considered an acceptable form of development, as it will sit comfortably alongside the stepped arrangement of bungalows to the east and will not impact upon the character of St Katherines Close in any way. As the dwelling will have gardens and fields to the sides and rear, the impact on the wider area will be minimal, with the low level property having no major visual impact on the wider residential or rural village setting, in accordance with the aims of Local Plan (2019) and the objectives of the NPPF (2024).

Design and Appearance

- 6.32 The NPPF states that *“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”*, with the development purposefully designed to meet the objectives of paragraph 135 which requires developments to function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; whilst being visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and being sympathetic to local character and history, including the surrounding built environment and landscape setting, with appropriate innovation or change (such as increased densities) not prevented or discouraged.
- 6.33 The current proposal has been carefully considered to ensure that the bungalow’s design would provide the internal space, daylight, outlook and outdoor amenity areas required by future occupants, whilst having a high quality external appearance, and remaining modest in scale, thus protecting the visual and residential amenities of the nearest neighbours, in accordance with the aims of the Local Plan and the NPPF.
- 6.34 The Planning Officer has assessed the proposed design of the bungalow and has stated it *“would contribute further to its departing with the prevailing character of the area”* even though it is adjacent of other bungalows, with the approved bungalow at No. 19 having been considered to fit in with the overall character of the area, due to the bungalows to the eastern end of St Katherines Close, therefore, this reasoning is unjustified.
- 6.35 Furthermore, the proposed bungalow has been described as *“extending almost the full width of the plot with a significant depth, as a result the dwelling would have a sprawling footprint which would be disproportionately larger than the ground floor footprints of the neighbouring dwellings.”*
- 6.36 The above assessment is disputed as bungalows typically have larger footprints than terraced houses, and the lack of bungalows being built is largely due to the amount of space the footprint occupies in comparison to a two storey house. The nearest bungalows at Nos. 8 and 6 do have slightly smaller footprints as these are semi-detached, however, as shown on the adjacent plan, the proposed bungalow is not significantly larger and certainly could not be considered to be *“sprawling”*.



Proposed Site Plan

- 6.37 Together with an appropriate footprint size of approximately 100m² the bungalow will have an attractive L-shaped design and hipped roof which will minimise the bulk of the property when viewed from the gardens of other dwellings and the fields to the rear.



Proposed Elevations

- 6.38 The bungalow will also be set in from the boundaries to create a reasonable amount of space within the plot and it will have a sizable garden curtilage of 106m² including a 60m² rear garden adjacent to the field boundary. Moreover, No. 10 will retain a rear garden of 91m² with a depth of over 13m which ought to be considered sufficient for the host property.
- 6.39 The new dwelling will have a gross internal floor area of 87.278m², and will therefore exceed the Technical housing standards – nationally described space standard (2015) requirement for a single storey, 3 bedroom, 5 person dwelling, to provide a minimum gross internal floor area of 86m².



Proposed Floor Plan

- 6.40 Given the above points, it is asserted that the proposed development would provide an excellent standard of amenity for future occupants, with good sized rooms that will have plenty of daylight, outlook and ventilation.
- 6.41 The proposed bungalow will also have a high standard of external design and finishing materials, with a suitable garden area for both the host property and the new dwelling, whilst also providing a development that will respond positively to the site's local context and as such will comply with Policies SP9 and D1 of the Local Plan and Section 12 of the NPPF.



Illustration of Proposed Bungalow

The impact of the development on living conditions

- 6.42 The appeal site has attached property No. 12 to the western side and a pair of semi-detached bungalows at Nos. 6 and 8 to the east. All these properties have gardens of equal length to that of No. 10, although to the side of Nos. 6 and 8, another pair of bungalows at Nos. 2 and 4 are set further from the highway and have smaller rear gardens.
- 6.43 The Planning Officer has stated that *“Although the bungalow would have modest eaves height, the dwelling would have minimal offsetting from the boundary and therefore the ridge at 5.284m would be highly visible to the neighbouring dwellings. It is my view, that the proposed dwelling would constitute an overbearing form of development that would result in a material detrimental impact upon the reasonable living conditions and well-being of neighbours.”*

- 6.44 This assessment is however disputed, as the proposed dwelling is a single storey bungalow that will be set in a minimum of 1.0m from the side boundaries and will have a hipped roof with low eaves height of 2.75m and maximum height of 5.284m, with the ridgeline being lower at the front.



Illustration of Proposed Bungalow

- 6.45 The highest point of the roof will be set approximately 11m from the dividing fences and together with the low eaves height, this will minimise any possible impact on neighbouring amenity space or views from rear windows, with the following images showing the appeal plot and surrounding properties, to emphasise the lack of impact that will occur due to the construction of a low level bungalow in this location.



Long Rear Garden of the Host Dwelling

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Host Dwelling and Neighbouring Properties



Neighbouring Bungalows to the East



Garden Shed and Greenhouse to Rear of Garden at No. 8

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RJS Planning. 15 Vale Court, Ealing Road, Brentford, TW8 0LN



Host Dwelling and Neighbouring Properties

- 6.46 It is also noted that no such issues were raised in regard to the approved bungalow to the rear of No. 19, even though the relationship with neighbouring dwellings is similar.
- 6.47 The proposal therefore ought to be considered to be an acceptable form of development, with a low height and unobtrusive design, the bungalow will be set a minimum of 15.5m from the rear elevation of No. 12, 20m from No. 8 and 14.5m from the host dwelling; and also set away from the rear patio areas of the garden area belonging to the neighbouring dwellings. It will also fit in well with the surrounding built environment, with No. 2 and 4 set further back in their plots, thus having no negative impact on neighbouring amenities, in accordance with Policy D3 of the Local Plan and the NPPF.
- 6.48 The Environmental Health officer has also assessed the proposal and has not raised any objection in terms of noise ingress and egress, with the existing driveway of No. 10 to be used by the new dwelling.

Highway and parking matters

- 6.49 The proposed bungalow will utilise the existing driveway to the side of No. 10 St. Katherines Close, which can provide 2 off-street parking spaces for the new dwelling, whilst the front curtilage will have two parking spaces for the host property.
- 6.50 The Council has therefore confirmed that the requirements set out under Policy T2 are satisfied by the proposed development, and whilst it has been noted that a dwelling would contribute to an increase in local traffic, it has been stated *“given that the proposal is for one dwelling, this increase is considered to be minor.”*

Environmental matters

- 6.51 The site is within Flood Zone 1 of the Environment Agency’s Flood Map and therefore has a low risk of flooding. The site is also not known to have any historic contamination and is currently garden land. The Council’s Environmental Health Officers have therefore raised no objections in terms of contamination or air quality issues.

7.0 CONCLUSION

- 7.1 The appeal proposal represents a sustainable form of development that has been purposefully designed to complement its setting, with the proposed new dwelling to be set adjacent to an existing group of bungalows to the eastern end of St Katherines Close.
- 7.2 The proposed development is modest in scale and height, and due to its location on a plot to the rear of No. 10, it will have no impact on the street scene of St Katherines Close or the character of the wider residential setting.
- 7.3 This statement has demonstrated that the proposal will be sympathetic to the surrounding built environment, and as confirmed by the Council's Environmental Health Officers, the proposal will have no detrimental impact on the quality of the area or the way it functions.
- 7.4 The property will be sympathetically subdivided from the large rear garden of No. 10 and privacy between dwellings will be maintained by close boarded fencing, which is characteristic of the area. As pictured within this statement, together with high boundary fencing, there are also mature shrubs and garden paraphernalia providing visual separation between No. 8 and No. 10, whilst No. 12 has a rear extension which blocks views between the neighbouring gardens. As such, the low level bungalow will be a relatively unobtrusive addition to the residential setting and will reflect the existing pattern of development to the east, which consists of stepped back bungalows and a less consistent front building line to the housing layout.
- 7.5 The proportions of the bungalow ensure that it will sit comfortably upon the new plot and will exceed the gross internal floor area standards required for a single storey, 3 bedroom, 5 person dwelling, with excellent levels of outlook, daylight and ventilation achieved.
- 7.6 As explained within this statement, the proposed development will also have no negative impact upon neighbouring amenity or highway safety; and the proposed development will also provide an excellent level of outdoor amenity space for future occupants, with private gardens to the front and the rear of the bungalow. The proposed new dwelling will also be constructed to achieve a high standard of sustainable design and construction, to mitigate against climate change and reduce carbon emissions, in accordance with the objectives of the NPPF and the Local Plan.
- 7.7 The National Planning Policy Framework (2024) states that decision-takers at every level should seek to approve applications for sustainable development where possible and that applications should be considered in the context of the presumption in favour of sustainable development. The appeal proposal would assist in achieving the Council's housing targets, and for the above reasons it is therefore politely requested that this appeal is allowed, with the inclusion of any conditions deemed necessary in this case.