DELEGATED FILE NOTE

CASE OFFICER: ...Anne McDonald.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00529/FP	Erection of 1 x 2 bedroom attached dwelling with associated works. Part two storey part single storey rear extension and single storey front extension.	28 Ermine Close Royston Hertfordshire SG8 5EE

Submitted Plan Nos

Location Plan; 2617:01; 2617:02B; 2617:03A

1.0 Policies

LP26 Housing Proposals

LP28	House Extensions
LP55	Car Parking Standards
LP57	Residential Guidelines and Standards
SECT6	Delivering Wide Choice High Quality Home
XD1	Sustainable Design
XD2	Hse Extns,Replacement Dwells,Outbuilding
XD3	Protecting Living Conditions

2.0 **Site History**

2.1 Application 17/02418/1 refused permission for a three-bed end of terrace house in this location.

3.0 **Representations**

3.1 The consultation phase expired on 05/04/18. Responses received:

3.2 HCC Hertfordshire Highways – no objection subject to conditions.

3.3 Royston Town Council – object to the application on the basis that it is the over-development of the site.

3.4 Two neighbour letters have received. Both raise objections. Key points raised:

- the extensions are too big for the plot;
- there is insufficient off street parking of the amount of people who will be living there;
- there is an existing dropped curb opposite our driveway. If this is used as a driveway it will cause many problems;
- these plans are not so difference from what has been approved to justify the approval of them;
- the two storey rear extension will cause harm to my home, from being over dominant, over shadowing and looking at the brick wall will have harm;

- the two storey rear extension is contrary to the rear of the close;
- the plans are over ambitious.

4.0 Planning Considerations

4.1 Site and Surroundings

4.1.1 The application site is no.28 and is positioned on a corner plot on the east side of the road. Within the road there is an 'island' of houses formed by Ermine Close, and no.28 is the front corner plot on the front of the island. As a result, there is a wide side garden to the side fence line with Ermine Close, with many trees on the front corner boundary with the road. There is a good sized front garden, and a dropped curb and parking at the end of the rear garden, next to no.2. Although this area looks very over grown and not in use. No.28 itself is an end of terrace house, with the row comprising four terraced houses. Within the road in front of the row of terraces houses there is a small green within a tri-angular 'roundabout'. There are photos in Anite.

4.2 Proposal

4.2.1 This application is seeking full planning permission for a part single and part two storey rear extension and a single storey front extension plus new roof above the existing flat roof to no.28 and a new end of terraced house on the side garden next to no.28, which would then make the row five house and for no.28 to become a mid-terrace property.

4.2.2 The extension to no.28 is to change the house from a three-bedroom house at first floor with no bathroom, and with small separate lounge, dining room, kitchen, hallway, store and bathroom at ground floor, to a house with a large lounge, large open plan kitchen / family room / dining room, hallway and w.c at ground floor level and four bedrooms one with en-suite and one family bathroom at first floor level. The proposed new house is 4.5m wide and 10.2m deep. It comprises a hallway, w.c. kitchen / dining room and living room at ground floor level and two bedrooms and one bathroom at first floor level.

4.2.3 The plans show that the new house is to have a ridged, pitched roof with front and rear gable ends, the front door is to be positioned on the side and the first floor rear extension has half dormer windows at first floor level. The garden is to be sub-divided and part of the front hedge is to be removed to provide two off street parking spaces in the frontage for no.28 and up to four parking spaces in tandem style in the rear of the rear garden for the new house. The plans show that the mature dense tree belt around the front boundary corner are to be retained.

4.2.4 The DAS sets out the design rationale for the proposal and the changes that have been made following the recent refusal. It also sets out the policy background for the application.

4.3 Key Issues

Principle

4.3.1 As set out in the previous application, there is no objection to the principle of extensions to no.28 nor to the erection of a new house on the side garden land. National and local planning policies seek to increase housing densities within urban areas to negate development on green field sites. This site is within the urban area,

and is not within a Conservation Area or grounds of a listed building, which would impose limitations. I therefore have no objection to the principle of the application.

Design considerations

Extension to no.28

4.3.2 Saved Policy 28 of the existing Local Plan allows for 3m deep extensions on to the rear of dwellinghouses. I note that the attached neighbour is objecting to the rear extension to no.28 on the basis that they consider it would have harm on their residential amenities from shading and being overbearing impact. I note that no.28 is to the south of no.26. However, given that Policy 28 advocates that 3m is an acceptable depth for a rear extension, and that no.26 has an existing single storey rear garden store projection, that is 3.5m in depth, this will substantially screen the ground floor part of the proposal in views from no.26. With regards to the first floor part of the proposal, this is set in off the boundary by 1m and the extension has a lower eaves height with the rooms being formed with dormer style windows. This has been done to reduce bulk and impact on the neighbour and to reduce the bulk of the roof in comparison to the refused scheme. The first floor windows at no.26 are set in off the joint boundary by just over 2m. Therefore, there will be a gap of just over 3m between the extension and the first floor bedroom windows. Given that the view from first floor bedroom windows is not protected, I have no objection to bulk or size of the extension. I note that dormer style windows are not a common design feature of the terrace. However, given that these are on the rear and have been used to reduce visual bulk, I raise no objection to this design feature in this instance.

4.3.3 I note the concerns of the neighbour at no.26 objecting to the side flank of the wall appearing over dominant and over bearing from his garden and the shading this would cause. Given that the ground floor part of the proposal is screened by the existing rear projection at no.26, and the first floor part is set 1m in of the boundary and is 3m in depth, this complies with the Council's design guidelines for acceptable extension depths, which is to allow a reasonable amount of new space without it having undue adverse impact on the amenities of neighbouring occupiers. I accept that no.26 will see this extension from their garden, but I cannot support their objection and refuse this application on the basis of it being unacceptably over bearing and over dominating in this instance. I note that no.28 is to the south of no.26, but these houses have good length rear gardens of 20m, so there will still be a significant amount of rear garden left unaffected by the proposal.

4.3.6 With regards to the single storey front extension and lean to roof above, on balance, I have no objection to this part of the proposal. Whilst I note this will be the first lean to roof along this stretch of these houses, there are other houses nearby to the site in Kingsway that have lean to roofs above porch extensions, and I therefore cannot object to this part of the proposal on this basis.

4.3.7 The forms state that the external materials are to match the existing house. This is considered to be acceptable and a materials condition is not considered to be necessary. I note that the Town Council are objecting to this proposal on the basis that it is the over development of the site. In my view, I consider this objection is to the new house part of the proposal and not to the extensions to no.28. The Highways conditions are also recommended.

New house

4.3.8 In comparison to the refused scheme, this application has been reduced in width by 0.6m and the number of bedrooms has been reduced from three to two. However, apart from this the design and layout is the same, with parking at the rear for the new house and parking in the frontage of no.28 for no.28.

4.3.9 Despite the fact that there is no objection in principle to a new dwelling on this site and that the Council is short in providing land for new houses, I cannot support this proposal. In my view, the layout is cramped. As existing the side flank wall of no.28 is in line with the front elevation of the house to the rear no.2. The whole of the new house is in front of this building line in the street scene, and as a result will be very visual prominent on this important corner in the setting and entrance of the road. This would be further exacerbated by the two storey front elevation of the new house extending in front of the front elevation of the rest of the terrace by just under 2m. In my view, this is a poor form of development that would not enhance the context or setting of the road.

4.3.10 Unlike the previous application, I cannot object to the proposed front to rear gable design, as no.22 at the other end of this row of terraced houses has this design. My concern is the adverse visual and dominating impact the proposal would have in the context and setting of the street scene.

4.3.11 With regard to parking, whilst I note that two off street spaces is being proposed for each house, which is technically in accordance with the provisions set out in the Council's SPD 'Vehicle Parking Provision', the spaces for the new house are at the end of the rear garden. To access these spaces from the house the occupiers will have to walk along the pavement to the rear driveway area. At night and in the rain this is not practical, and so in reality the occupier will seek to park on street in front of the house. There is no objection to the parking in front of no.28. Other house have frontage parking, and whilst a section of hedge would have to be removed to allow the access, the hedge, whilst being an attractive feature in the street scene, is not worthy of protection, and there is no objection to its loss.

4.3.12 I note that the trees on the front corner boundary are to be retained. These form an attractive feature in the street scene. However, they are not worthy of TPO protection in their own right. In my view, building the new house in this location close to the side boundary will result in conflict between the new house and the trees, and in reality, new occupies would wish to see these felled. Whilst there is no objection to this, the trees are an attractive feature and this is an indication that the site is cramped.

4.3.13 No specific provision is made for bin storage, although there is space on site for bins to be stored in the rear gardens and each house has a rear gate access to allow bins to be dragged out for collection.

4.3.14 I note that permission has been granted for a one-bed house to be erected next to no.20. However, due to the location of this within the road with the side flank of the new house rear of no.22, the other corner frontage house on the front of the island in the road, I do not consider that this sets a precedent for this proposal. Furthermore, I also do not consider that it has been sufficiently amended to overcome the previous reasons for refusal. In my view, this is not an acceptable location for a new house, and even if the proposal were to be amended to a one bedroom house I consider that an objection would still stand.

4.4 **Conclusion**

4.4.1 Split decision is recommended. As discussed above I have no objection to the extension to the house, whereas I do have an objection to the proposed new house. I am therefore recommending conditional permission for the extension and refusal of the new house.

5.0 **Recommendation**

Recommendation A

5.1 Grant conditional permission for the single storey front and part single and part two storey rear extensions to no.28.

Recommendation B

5.2 Refuse planning permission for the erection of a two bedroom end of terrace house on land adjacent to no.28.

Recommendation A

To GRANT conditional permission for single storey front and part single and part two storey rear extensions to no.28 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 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.

4 The access shall be not more than 5.0 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.

5 The access shall be constructed in a hard surfacing material for the first 4.8 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.

Recommendation B

To REFUSE planning permission for the erection of a new two bedroom end of terrace house on land adjacent to no.28 for the following reason:

1 By virtue of the scale and siting of the proposed house, forward of the side building line, the proposed new house would have an adversely over dominating and over bearing impact in the context and setting of the street scene, which would be harmful to the setting of the street scene. As a result, the proposal is considered to fail to comply with the necessary provisions of the Saved Polices 26 and 57 of the North Hertfordshire District Local Plan no.2 with Alterations 1996, and to conflict with paragraphs 56, 60 and 64 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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:

Highways Informative

Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website https://www.hertfordshire.gov.uk/droppedkerbs/ or by telephoning 0300 1234047.

Signed  Simon Ellis Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 15 May 2018	