DELEGATED FILE NOTE

CASE OFFICER: ...Tom Donovan.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/01147/S73	Re-arrangement of windows and doors on rear elevation and increase garage length as Variation of Condition 2 of Planning permission 17/02469/1 granted 02/10/2017 for Erection of one 4-bed dwelling following demolition of existing house and garage (as amended by drawings received 21/06/2018).	16 Newlands Lane Hitchin Hertfordshire SG4 9AU

Submitted Plan Nos

PL100B PL201C PL202C PL102B PL002B PL101B

1.0 Policies

1.1 **North Hertfordshire District Local Plan No.2 with Alterations**

Policy 55 – Car Parking Standards
Policy 57 – Residential Guidelines and Standards

1.2 **National Planning Policy Framework.**

Section 7 - Requiring good design

1.3 **Emerging Local Plan 2011-2031 (Approved by Full Council 11th April 2017).**

SP1: Sustainable development in North Hertfordshire;
SP2: Settlement Hierarchy
SP9: Design

D1: Sustainable Design
D2: House Extensions, Replacement Dwellings and Outbuildings
D3: Protecting Living Conditions

2.0 **Site History**

2.1 17/02469/1 – Permission granted for the erection of a four-bedroom dwelling following the demolition of the existing house and garage.

3.0 **Representations**

3.1 **Public Notice/ local residents**
No representations received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 16 Newlands Lane is a detached chalet bungalow on a good sized plot. 14 Newlands Lane lies to the north-east and No. 18 to the south-west. 3 Ransom Close also adjoins the plot to the north, at a roughly ninety degree angle. The character of the area is of large, individually designed houses and good sized plots. Mature hedgerows and trees form much of the character of Newlands Lane. An area Tree Preservation Order covers the site.

4.2 **Proposal**

4.2.1 The development was described by the case officer who dealt with 17/02469/1 as follows:

"The proposal is to replace the chalet bungalow with a two storey dwelling, in a similar part of the plot, but with a larger footprint. The main part of the house would be finished in a red multi brick and off- white/cream render. The north-east wing of the house, which contains a carport and cycles store to the front, is one and a half storeys high and would be finished in timber cladding. This would visually brake up the bulk of the building. The roof would have plain, red clay tiles. Please see drawings."

4.2.2 The proposal is for a variation of Condition 2 of planning permission 17/02469/1. The changes sought include the re-arrangement of windows and doors on the rear

elevation and to increase the length of the proposed garage.

4.3 **Key Issues**

4.3.1 The overall acceptability of the proposed development has been accepted by the Council through the earlier decision 17/02469/1. As such, the key issue for consideration here is the acceptability of the alterations to the design of the building.

4.3.2 The case officer who dealt with the previous application considered that the erection of the building itself would be compliant with national and local planning policy and I do not disagree with this conclusion.

4.3.3 The alterations to the fenestration on the rear elevation of the proposed dwelling would not objectionable in my opinion either in terms of resultant impact on neighbours or in design terms.

4.3.4 The increase to the length of the garage is a little unfortunate as it would result in this section extending much further towards the front boundary. However, I do not consider that this would have any more than a negligible impact on the character or appearance of the area due to the secluded nature of the property. Moreover, whilst the extension would extend beyond the front wall of the adjacent property I do not consider that it would cause any material harm to the living conditions of this property.

4.4 **Conclusion**

4.4.1 Based on the above consideration I recommend that planning permission is **GRANTED** and that Condition 3 of the previous permission is removed.

5.0 **<u>Recommendation</u>**

5.1 That planning permission is **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. Details and/or samples of materials to be used on all external elevations and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area.

4. Prior to the commencement of the development landscape details shall be submitted to and approved in writing by the Local Planning Authority and shall include the following:

a) which, if any, of the existing vegetation is to be removed and which is to be retained;

b) any new trees, shrubs, hedges and grassed areas to be planted, together with the species proposed and the size and density of planting;

c) the location and type of any new walls, fences or other means of enclosure and any hardscaping proposed;

d) details of any earthworks proposed.

The landscaping scheme shall be implemented as approved and shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To ensure the submitted details are sufficiently comprehensive to enable proper consideration to be given to the appearance of the completed development.

5. The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason:To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

6. None of the trees to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority.

Reason:To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

7. Any tree felled, lopped, topped, uprooted, removed or otherwise destroyed or killed contrary to the provisions of the tree retention condition above shall be replaced during the same or next planting season with another tree of a size and species as agreed in writing with the Local Planning Authority, unless the Authority agrees in writing to dispense with this requirement.

   Reason:To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

8. Before the commencement of any other works on the site, trees to be retained shall be protected by the erection of temporary chestnut paling or chain link fencing of a minimum height of 1.2 metres on a scaffolding framework, located at the appropriate minimum distance from the tree trunk in accordance with Section 4.6 of BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations, unless in any particular case the Local Planning Authority agrees to dispense with this requirement. The fencing shall be maintained intact for the duration of all engineering and building works. No building materials shall be stacked or mixed within 10 metres of the tree. No fires shall be lit where flames could extend to within 5 metres of the foliage, and no notices shall be attached to trees.

   Reason:To prevent damage to or destruction of trees to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality.

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  Simon Ellis Determining Officer	 Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 27 June 2018	