DELEGATED FILE NOTE

CASE OFFICER: ...Kate Poyser.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00710/FP	Erection of one 5-bed dwelling following demolition of existing dwelling.	10 Brownfield Way Blackmore End St Albans Hertfordshire AL4 8LL

Submitted Plan Nos

PL-110 PL-110 PL-001 PL-002 PL-100 PL-101 PL-200 PL-201 PL-202

1.0 Policies

LP6 Rural Areas Beyond the Green Belt

LP30	Replace or Extension Dwellings Countrysi
LP57	Residential Guidelines and Standards
SECN12	Achieving well-designed places
SECN5	Delivering sufficient supply of homes
XCGB1	Rural Areas Beyond the Green Belt
XD2	Hse Extns,Replacement Dwells,Outbuilding
XD3	Protecting Living Conditions

2.0 Site History

2.1 17/01407/1PRE pre-application advice given for a replacement house.

3.0 Representations

3.1 Kimpton Parish Council – no objections raised.

3.2 Local Residents – no comments received.

4.0 Planning Considerations

4.1 Site and Surroundings

4.1.1 Brownfield Way is a cul-de-sac leading off Blackmore Way. There is a mix of bungalows, one and a half story properties and two storey houses. No. 10 is a bungalow and two bungalows sit either side, numbers 8 and 12. Alterations to the properties in the cul-de-sac have been of a traditional design. It is however, noted that many houses in Blackmore Way

have been replaced, with a variety of designs, some contemporary. Blackmore End lies in the Rural Area Beyond the Green Belt.

4.2 **Proposal**

4.2.1 The proposal is to replace the existing bungalow with a two storey dwelling of a contemporary design, to provide more space for a growing family. It would provide four bedrooms at first floor level and a guest room on the ground floor. There would be an integral garage. The ground floor would be somewhat larger than the first floor, much of this floor space being to the front of the house. The first floor would be stepped back and both roofs would be flat. Please see drawings.

4.3 **Key Issues**

4.3.1 The key planning considerations relate to:

- The principle of a replacement dwelling;
- Effect upon neighbouring living conditions;
- Design and appearance in its context.

4.3.2 There is no objection in principle to a replacement dwelling here. In the current local plan Policy 30 and Policy D2 in the Submitted Local plan both allow for the replacement of dwellings in the countryside, subject to details and impact.

4.3.3 Greater floor space would be created. The design of the replacement dwelling is such that most of the floorspace would be at ground floor level. The first floor would, nevertheless, be large enough to provide four bedrooms and a bathroom. No. 8 would be over 5 metres from the proposed first floor (excluding the garage) and set further forward than the proposed first floor. No 8 has a staggered rear elevation and the proposed first floor would project a maximum of just over 1 metre beyond its rear elevation. The first floor would have a flat roof 6 metres above ground level. The only side-facing first floor window is to a bathroom and is proposed to be obscure glazed. I consider the proposed replacement dwelling would not have a significant effect on the living conditions of 8 Brownfield Way.

4.3.4 12 Brownfield Way lies south of No. 10. The proposed dwelling would be 3 metres from the side elevation. The rear elevation of the proposed first floor section would be 6 metres further to the rear. There are some side-facing windows in No. 8, although the most windows face the front and rear. I consider the proposed replacement house would have some impact on the living conditions of No. 8, but would not be significant, to justify withholding permission.

4.3.5 Whilst Brownfield Way does not have a distinctive architectural style, all other properties have a traditional pitched roof. There is not a strong building line here, although properties are set back roughly similar amounts. The position of the proposed front elevation at ground floor level would be similar to others. The first floor would be set back by 8 to 9 metres. This would be an unusual feature for the street. However, the stepping back of the first floor would, to some degree, reflect the backward slope of the roofs of the neighbouring properties. This can be seen from the Proposed Visuals drawings which have been submitted. This would limit the impact on the overall street scene. The first floor is shown to be finished in a similar colour material to the roof tiles.

4.3.6 Negotiations took place at the pre-application stage suggesting a more traditionally designed, one and a half storey property would better fit the character of the area. However, given the variety in design of properties here, particularly in Blackmore Way, it is felt that there would not be a sustainable objection to a non-traditional design in this case and it does, to

some extent, reflect the scale and impact on the street scene of other properties here. The right materials would also help and should be the subject of a condition. The Area Planning Officer has been consulted.

4.4 **Conclusion**

4.4.1 Although, in some respects the design is controversial, I consider there is not a sustainable planning objection to raise to the proposed replacement dwelling.

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. 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 any work on site, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority and shall include the following:

   - Existing trees to be removed;
   - Location, species and planting size of any proposed trees or plants;
   - Proposed maintenance to establish the trees and plants;
   - Any fences, hedges, walls or other boundary treatment;
   - Location and materials of all hard surfaces.

   The landscaping scheme shall be implemented as approved.

   Reason: In the interests of the appearance of the completed scheme.

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. 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 early engagement with the applicant at the pre-application stage 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 	Development Management North Hertfordshire District Council Council Offices Gernon Road

Simon Ellis Determining Officer	Letchworth Herts SG6 3JF
Date: 8 August 2018	