DELEGATED FILE NOTE

CASE OFFICER: ...Melissa Tyler.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00230/FPH	Two storey side extension following demolition of existing garage.	113 Wilbury Road Letchworth Garden City Hertfordshire SG6 4JQ

Submitted Plan Nos

0089.00.03 0089.01.01 0089.01.02 0089.01.03 0089.00.02

1.0 Policies

SECT7	Requiring Good Design

SECT12	Conserving and enhancing historic enviro
LP28	House Extensions
LP57	Residential Guidelines and Standards
LP55	Car Parking Standards
XD2	Hse Extns,Replacement Dwells,Outbuilding
XD3	Protecting Living Conditions
XHE1	Designated Heritage Assets

2.0 **Site History**

2.1 **05/00996/1HH** Replacement double garage with room above. **REFUSED**
"By reason of its form, size, bulk and siting, the replacement double garage would harm the character and appearance of the Conservation Area, contrary to the objectives of Policy 20: Conservation Areas of the North Hertfordshire District Local Plan 1996 No. 2 with Alterations."

08/00722/1HH Extension of existing single storey side extension to raise pitched roof, extend to rear and insertion of one dormer window on both front and rear elevations. (As amended by plan received 23 June 2008). **GRANTED**

3.0 **Representations**

3.1 Neighbours – Occupiers of 115 Wilbury Road objects for the following reasons –

1. We believe that the gap between the proposed double storey extension east wall (which is an extension of an extension) and our own property is insufficient.
2. The proposal for a ground floor window on the east wall is unacceptable as it would intrude on our privacy.
3. The height and size of the proposed extension is such that it would have a negative effect on light and privacy of our property.
3. The boundary is the east side wall of the existing garage at 113. There is no detail in

the proposals as to how the boundary is to be reinstated, and in doing so maintain the gap (approx 650mm) which currently exists between the two garages ie the gap between our garage and boundary.
4. We believe that the proposal, if approved, would severely and unfairly inhibit any plans we have for an extension of our own property on the west side eg a full side extension of the existing end wall profile to include for provision of a replacement double garage with second floor accommodation above it.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 113 Wilbury Road is a detached dwellinghouse sited between the plots of No's 111 and 115, on the south side of the road. The properties on this side are all detached with substantial plot sizes and form the edge of the Letchworth Conservation Area. This property is a typical Arts and Crafts cottage of one and a half storeys. It is part of a street scene of early Garden City houses, with consistent spaces between buildings.

4.2 **Proposal**

4.2.1 Planning permission is sought for a two storey side extension following demolition of the existing garage to create an annex accommodation. The proposed extension is a continuation of the previously approved side extension granted in 2008.

4.2.2 The proposed extension would project a further 3.5 metres from the existing side elevation. It has a depth of 6.7 metres with an eaves height of 2.1 metres and a maximum height of 6 metres. The extension will match the existing side project pitched roof formation. New dormer windows to the front a rear are proposed. A new window on the side elevation at ground floor is also proposed.

4.2.3 The extension would consist of a bedroom and en-suite on the ground floor and a new living room and relocation of a 4 th bedroom to the host dwelling.

4.2.4 Material include clay roof tiles, white rough render and leaded windows to match the existing.

4.3 **Key Issues**

4.3.1 The key issues in the determination of the application are he principle of annex accommodation, the impact of the property on the host dwelling, streetscene and conservation area, neighbouring properties and parking provision.

Principle

4.3.2 In order for the proposal to be treated as an annexe, justification would be required to satisfy Policy 33 - Relatives and Staff Accommodation of the North Hertfordshire District Local Plan with Alterations which states

'For the accommodation of relatives, dependants or staff within the grounds of an existing dwelling, the Council will permit the development proposal if:

- *A genuine need can be shown; and*
- *Its size is small and it is physically related to the existing dwelling, normally by the adaptation or extension of existing accommodation; and*

- *Future occupancy is restricted, either to the purpose stated or to that ancillary to the existing dwelling, by condition with any planning permission.'*

4.3.3 Policy 33 states that "*the Council will permit the development proposal if its size is small and it is physically related to the existing dwelling, normally by the adaptation or extension of existing accommodation*."

4.3.4 It would appear on the plans that the proposed annexe would be reliant on the main dwellinghouse as no kitchen facilities have been shown and no external front door or access has been provided other than the patio style doors on the rear elevation to the proposed bedroom.

4.3.4 I have recommended a condition that any permission granted to avoid the creation of a new dwelling contrary to the planning policies applicable to the area and to avoid the occupation of two separate dwellings by persons unconnected with each other as this would result in an unsatisfactory relationship and inadequate standard of amenity for both properties.

Design

4.3.5 The proposed extension would match the existing side extension and relates well to the host dwellinghouse. Material have been proposed to match the existing. I do not consider that there are sustainable reasons to refuse planning permission on design grounds, as in my view it would not be dominant in relation to the host dwelling and would not harm the character of the area.

4.3.6 With regard to the impact of the proposals on the Conservation Area, I am satisfied that the scheme would preserve the character and appearance of the Conservation Area. The extension would read as subservient.

Impact on neighbouring properties

4.3.7 I have received an objection from the occupier of No. 115 Wilbury Road. Following a conversation with Heritage Foundation, whom also raise an objection, because the distance from the side boundary being slightly under 2 metres at 1.7 metres at the rear corner of the proposed extension does not met their policy criteria of a 2 metre distance between side boundaries. However, The criteria is not set in our policies. Policy 28 states that there should be a minimum gap of 1 metre at first floor to reduce the impact of terracing.

4.3.8 The proposed extension would have some built impact on the neighbouring properties (no.115), however in my view it would not result in a material loss of daylight/sunlight the property due to its orientation or be unduly dominant in the outlook they currently enjoy.

4.3.9 The proposal shows a ground floor window on the side elevation facing No.115. Permitted development allows for new windows at ground floor therefore I do not consider that an objection can be raised to this window. I have however recommended a condition that no first floor windows be inserted in the side elevation of the extension in future in order to protect the privacy of the neighbouring properties.

Parking provision

4.3.10 The proposal would result in the loss of some parking spaces with the loss of the existing double garage. Having visited the site, at least two parking spaces on the

driveway can be accommodated and therefore in my view the loss of 2 parking spaces would not be a sustainable reason for refusal.

4.4 **Conclusion**

4.4.1 On balance, whilst this is not the form of development I would wish to encourage I do not consider that there are any sustainable reasons to withhold planning permission for the revised scheme, subject to the conditions set out below.

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.

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.

Signed  Tom Rea Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 16 April 2018	