

# Public Document Pack

## NORTH HERTFORDSHIRE DISTRICT COUNCIL

### PLANNING CONTROL COMMITTEE

THURSDAY, 13TH JUNE, 2024

### SUPPLEMENTARY AGENDA

Please find attached supplementary papers relating to the above meeting, as follows:

**Agenda No**   **Item**

9.        **23/01749/FPH 45 WEST STREET, LILLEY, LUTON, HERTFORDSHIRE, LU2 8LN** (Pages 3 - 10)
  1. Applicant's response letter to Conservation Officer comments
  2. Conservation Officer comments to applicant's letter
  
10.       **23/01750/LBC 45 WEST STREET, LILLEY, LUTON, HERTFORDSHIRE, LU2 8LN** (Pages 11 - 18)
  1. Applicant's response letter to Conservation Officer comments
  2. Conservation Officer comments to applicant's letter

This page is intentionally left blank

# RESPONSE LETTER

## Agenda Item 9

45 West Street Lilley Luton Hertfordshire LU2 8LN  
File Ref: 23/01749/FPH & 23/01750/LBC

### Our Ambition

Following feedback from our application on 6th November 2023

The development is solely geared towards adding an extra bedroom for a conventional home arrangement with all bedrooms located upstairs to accommodate our family needs with two children. Retaining the special character of the building.

**Revised Proposal:** following feedback from No: 20/01259/FPH in 2020, we altered the plans to continue and retain the 'linear form' while also stepping the extension back and dropping the ridge line from the main house. Sadly, this was still considered objectional.

Upon further consultation, we can step the front facing wall back another brick and a half and drop the ridge (Shown Below), but further reduction will give a disproportionate appearance and restrict access via the proposed doorway on the first floor to the much need additional bedroom. We hope this along with the hipped roofline, will be sufficiently subservient to the host building to be considered acceptable?

Changing the exterior to render was to highlight the difference between old and new but we would happily revert to brick to be more sympathetic and in keeping with the main house.

N.B a future proposal for a front dormer is not being considered.



**Building Conservation comments:**

*“At the time (2020), I produced a sketch (Shown below) of what I considered to be an acceptable way forward and this would have provided some additional accommodation at ground floor only and would be similar to the form of outbuildings previously removed.” Mark Simmons*

To our knowledge, with some research, there hasn't been any prior outbuildings attached to the house. I raise this to avoid any president being set.



The catslide/ wrap around feature, inspired by the adjacent property of N\* 48 West Street has been retained to provide a much-needed downstairs WC. The possibility of having the catslide / downstairs toilet positioned to the left of the rear door i.e. under the large rear dormer was explored by two architects but due to our awkward boundary line (Shown Below), this isn't possible. There is not sufficient space and would encroach upon the neighbouring property. Obscuring light to their existing rear kitchen extension window and the neighbours would be likely to object.

We would also wish to retain the small rear door that we consider to be a character feature of the house.

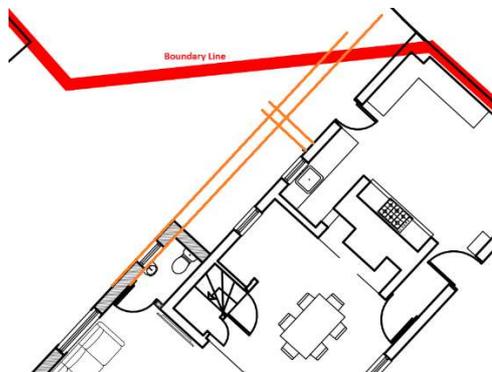
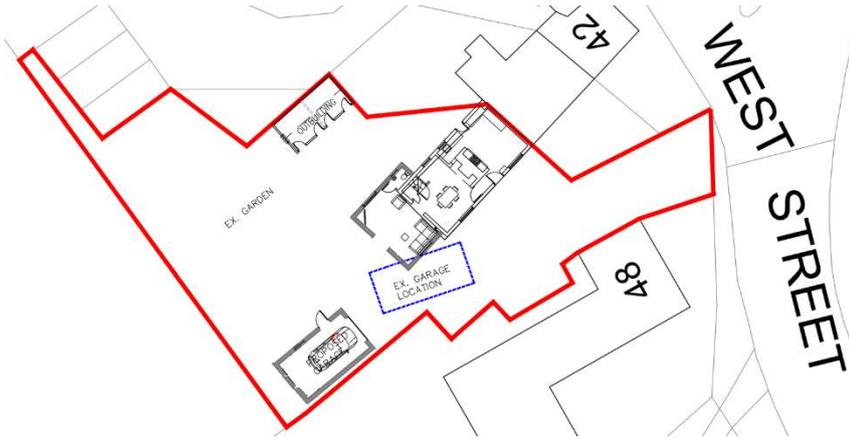


Fig. 3.6 Aerial view of back of 41 42 43 45 West Street, 2022



Site Plan of 45 West Street



Arial View

**Public Benefit** – It states, “the proposal would not deliver any public benefits” but we would argue that the proposed new garage appearance and positioning would benefit the wider community in the sense it visually improves the central location of the village. Making a positive contribution to local character and distinctiveness of Lilley.



Street View of 48 / 45 / 42 / 41 West Street

The new subservient and set back side extension to the house would be almost completely obscured from public view due to the angle of our house to the road. Meaning the proposal will not detract or harm the Lilley conservation area. The huge Benefit will be the removal of the flat roof garage, which is an eyesore and we agree, significantly detracts from the front setting to this listed building.

We are very active in the community and love Lilley. We believe in giving back and protecting the assets around us by being proactive in the village. Being on the Parish Council, winding the church clock, fund raising and organising improvements to the local playground. This may or may not be a public benefit in the planning office but diversity within rural villages has got to bear some weight. As a young family, where our children attend the local school, I would say we offer the village sustainability.

This page is intentionally left blank

# North Hertfordshire District Council

## Building Conservation comments

**File Ref:** 23/01749/FPH & 23/01750/LBC

**Date:** 20/05/2024

**Planning Officer:** BG

**Address:** 45 West Street, Lilley, Luton, Hertfordshire LU2 8LN

**Subject:** See below

- **23/01749/FPH** - Two storey side extension and single storey rear extension. Insertion of rooflights to existing outbuilding and erection of detached single garage following demolition of existing garage.
- **23/01750/LBC** - Two storey side extension and single storey rear extension and internal alterations. Repair of external brickwork.

### Introduction

These comments are in response to the applicant's 'Response Letter' following my feedback on 6 November 2023. However, I understand that the application is to be determined based on the submission as previously seen. For the purpose of completing my input to this case, I offer a final commentary on the applicant's 'Response Letter'.

The applicant has stated that they can step the front facing wall back another brick and a half and drop the ridge, but further reduction will give a disproportionate appearance and restrict access via the proposed doorway on the first floor to the much needed additional bedroom. In terms of external wall finish, I note that the applicant has said that they would happily revert to brick to be more sympathetic and in keeping with the main house. It is also noted that a front dormer is not being considered, however, I consider that the scheme would at least have benefitted from the rear dormer being replaced by a conservation roof light. Notwithstanding that, there remain four key issues:

- The eaves and ridge height,
- The continuation of the rear roof plane,
- The principle of creating a third bedroom at first floor
- The location of the ground floor WC.

Crucial to the applicant's case is the ability to maintain a wall plate at the same level as the existing cottage as anything lower will further reduce the ability to form a room at first floor. The problem with this is that this will result in a bulkier and unacceptable built form.

Whilst moving the front building line back by another brick-and-a-half will ease the impact on the front elevation, the flush rear roof plane will remain. Considering the WC remains part of the proposal, the above means that only the stepped ridge will serve to define the end of the cottage when viewed from the rear.

To clarify my comment regarding outbuildings, where I previously stated "*would be similar to the form of outbuildings previously removed*" this was not with reference to any outbuilding attached to the principal building but to section 3.3 on page 11 of the Heritage Statement where it says "*Some of the earlier outbuildings to the rear of the*

cottages have been lost whilst the outbuilding to the back of 45 remains. (Fig. 3.6)” and which can be viewed in the image below.



I acknowledge the awkward rear boundary line which encumbers the provision of a ground floor WC to the left of the existing rear door. Having said that I am still of the opinion that the provision of the WC where current shown, diminishes the legibility of the host cottage when seen from the rear (above right) and being constructed in the same roof plane as the catslide to the reception room would create an unwelcome additional mass of built form at the rear.

Finally, with regard to ‘public benefit,’ the applicant says that the appearance and positioning of the proposed garage would benefit the wider community in the sense it visually improves the central location of the village. Making a positive contribution to local character and distinctiveness of Lilley. In my opinion, this degree of public benefit is considered negligible when applying the weighted balance.

### **Recommendation**

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (para 205, NPPF). It is considered that the proposal will harm the special character of the listed building and the appearance of the Lilley Conservation Area.

I have adjusted my draft R for R’s below but maintain my **OBJECTION**:

### **23/01749/FPH**

*Nos. 41, 42, 44 and 45 form a predominantly brick-faced, elongated L-plan built form sitting perpendicular to the road with gabled, through-eaves, dormer windows, on a prominent corner site. The building’s significance is attributed to its date of construction and the fact that it is ‘timber framed brick cased’ with a ‘2-cells, lobby entry, internal chimney plan and axial floor beams to inserted floor’. The significance of this terrace also lies in the fact that it sits alongside no.48 (Church Cottage) which is also grade II listed and broadly similar. Both buildings are in the Lilley Conservation Area and the south (front) elevation to no.45 is well-balanced with an off-centre doorway and central ridge stack with a ground floor 3-light window and first floor double-casement through-eaves dormer either side of these. **By reason of the extension’s continuous rear roof plane and the WC section of the catslide arrangement wrapping around the rear corner the original gable end, the legibility of the cottage’s form is eroded. Together with the extension’s height (eaves and ridge) and rendered finish, the extension would have both a non-subservient and contrasting impact upon the host building. This detracts from the terrace’s existing elongated brick-faced appearance and would unbalance the appearance of no.45 occasioning harm thereto. The degree of harm is considered to be less than substantial. The building already has an optimum viable use, and the proposal would not deliver any public benefits. Furthermore, there is no convincing justification put forward in support of this proposal. The development would fail to satisfy the provisions of Sections 66(1) and & 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and would fail to satisfy the aims of Section 16 of the NPPF and Policy HE1 of the North Hertfordshire Local Plan 2011 – 2031.***

**23/01750/LBC**

Nos. 41, 42, 44 and 45 form a predominantly brick-faced, elongated-plan built form sitting perpendicular to the road with gabled, through-eaves, dormer windows, on a prominent corner site. The building's significance is attributed to its date of construction and the fact that it is 'timber framed brick cased' with a '2-cells, lobby entry, internal chimney plan and axial floor beams to inserted floor'. The significance of this terrace also lies in the fact that it sits alongside no.48 (Church Cottage) which is also grade II listed and broadly similar. Both buildings are in the Lilley Conservation Area and the south (front) elevation to no.45 is well-balanced with an off-centre doorway and central ridge stack with a ground floor 3-light window and first floor double-casement through-eaves dormer either side of these. *By reason of the extension's continuous rear roof plane and the WC section of the catslide arrangement wrapping around the rear corner the original gable end, the legibility of the cottage's form is eroded. Together with the extension's height (eaves and ridge) and rendered finish, the extension would have both a non-subservient and contrasting impact upon the host building. This detracts from the terrace's existing elongated brick-faced appearance and would unbalance the appearance of no.45 occasioning harm thereto.* The degree of harm is considered to be less than substantial. The building already has an optimum viable use, and the proposal would not deliver any public benefits. Furthermore, there is no convincing justification put forward in support of this proposal. The development would fail to satisfy the provisions of Sections 16(2) and & 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and would fail to satisfy the aims of Section 16 of the NPPF and Policy HE1 of the North Hertfordshire Local Plan 2011 – 2031.

**Mark Simmons**  
**Senior Conservation Officer**

This page is intentionally left blank

# RESPONSE LETTER

## Agenda Item 10

45 West Street Lilley Luton Hertfordshire LU2 8LN  
File Ref: 23/01749/FPH & 23/01750/LBC

### Our Ambition

Following feedback from our application on 6th November 2023

The development is solely geared towards adding an extra bedroom for a conventional home arrangement with all bedrooms located upstairs to accommodate our family needs with two children. Retaining the special character of the building.

**Revised Proposal:** following feedback from No: 20/01259/FPH in 2020, we altered the plans to continue and retain the 'linear form' while also stepping the extension back and dropping the ridge line from the main house. Sadly, this was still considered objectional.

Upon further consultation, we can step the front facing wall back another brick and a half and drop the ridge (Shown Below), but further reduction will give a disproportionate appearance and restrict access via the proposed doorway on the first floor to the much need additional bedroom. We hope this along with the hipped roofline, will be sufficiently subservient to the host building to be considered acceptable?

Changing the exterior to render was to highlight the difference between old and new but we would happily revert to brick to be more sympathetic and in keeping with the main house.

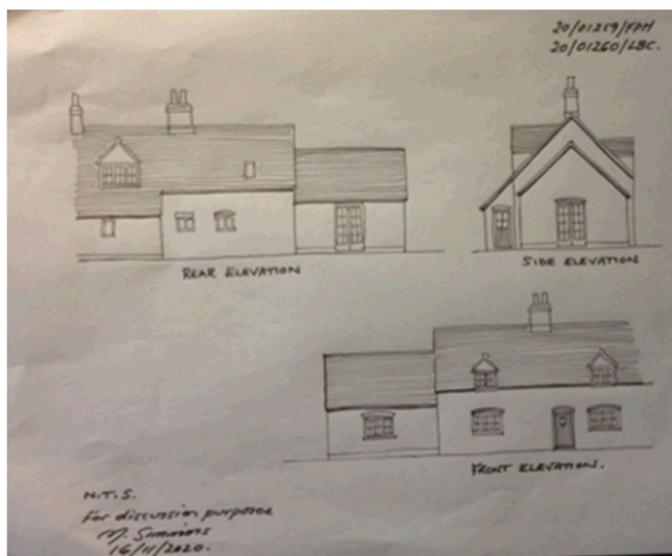
N.B a future proposal for a front dormer is not being considered.



**Building Conservation comments:**

*“At the time (2020), I produced a sketch (Shown below) of what I considered to be an acceptable way forward and this would have provided some additional accommodation at ground floor only and would be similar to the form of outbuildings previously removed.” Mark Simmons*

To our knowledge, with some research, there hasn't been any prior outbuildings attached to the house. I raise this to avoid any president being set.



The catslide/ wrap around feature, inspired by the adjacent property of N\* 48 West Street has been retained to provide a much-needed downstairs WC. The possibility of having the catslide / downstairs toilet positioned to the left of the rear door i.e. under the large rear dormer was explored by two architects but due to our awkward boundary line (Shown Below), this isn't possible. There is not sufficient space and would encroach upon the neighbouring property. Obscuring light to their existing rear kitchen extension window and the neighbours would be likely to object.

We would also wish to retain the small rear door that we consider to be a character feature of the house.

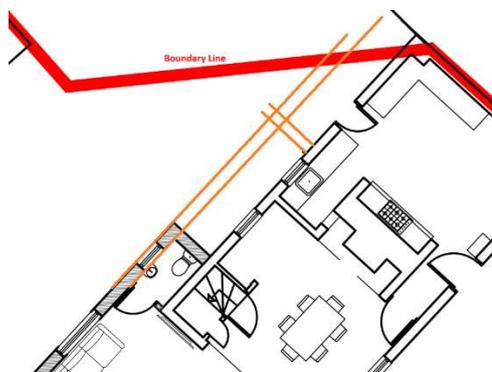
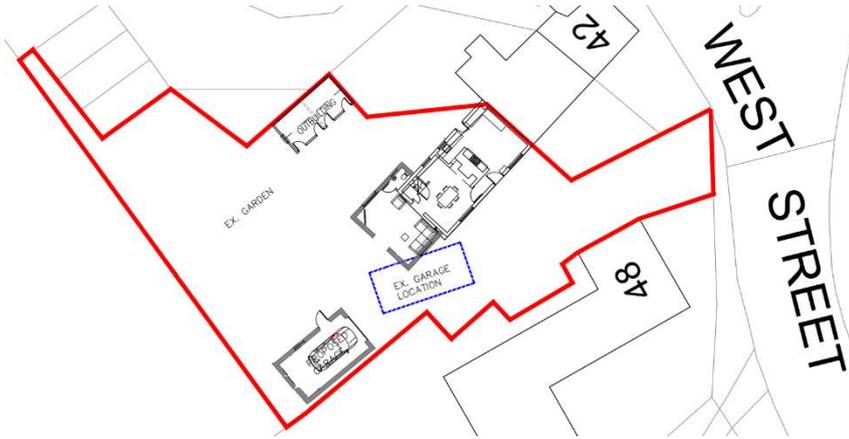


Fig. 3.6 Aerial view of back of 41 42 43 45 West Street, 2022



Site Plan of 45 West Street



Arial View

**Public Benefit** – It states, “the proposal would not deliver any public benefits” but we would argue that the proposed new garage appearance and positioning would benefit the wider community in the sense it visually improves the central location of the village. Making a positive contribution to local character and distinctiveness of Lilley.



Street View of 48 / 45 / 42 / 41 West Street

The new subservient and set back side extension to the house would be almost completely obscured from public view due to the angle of our house to the road. Meaning the proposal will not detract or harm the Lilley conservation area. The huge Benefit will be the removal of the flat roof garage, which is an eyesore and we agree, significantly detracts from the front setting to this listed building.

We are very active in the community and love Lilley. We believe in giving back and protecting the assets around us by being proactive in the village. Being on the Parish Council, winding the church clock, fund raising and organising improvements to the local playground. This may or may not be a public benefit in the planning office but diversity within rural villages has got to bear some weight. As a young family, where our children attend the local school, I would say we offer the village sustainability.

This page is intentionally left blank

# North Hertfordshire District Council

## Building Conservation comments

**File Ref:** 23/01749/FPH & 23/01750/LBC

**Date:** 20/05/2024

**Planning Officer:** BG

**Address:** 45 West Street, Lilley, Luton, Hertfordshire LU2 8LN

**Subject:** See below

- **23/01749/FPH** - Two storey side extension and single storey rear extension. Insertion of rooflights to existing outbuilding and erection of detached single garage following demolition of existing garage.
- **23/01750/LBC** - Two storey side extension and single storey rear extension and internal alterations. Repair of external brickwork.

### Introduction

These comments are in response to the applicant's 'Response Letter' following my feedback on 6 November 2023. However, I understand that the application is to be determined based on the submission as previously seen. For the purpose of completing my input to this case, I offer a final commentary on the applicant's 'Response Letter'.

The applicant has stated that they can step the front facing wall back another brick and a half and drop the ridge, but further reduction will give a disproportionate appearance and restrict access via the proposed doorway on the first floor to the much needed additional bedroom. In terms of external wall finish, I note that the applicant has said that they would happily revert to brick to be more sympathetic and in keeping with the main house. It is also noted that a front dormer is not being considered, however, I consider that the scheme would at least have benefitted from the rear dormer being replaced by a conservation roof light. Notwithstanding that, there remain four key issues:

- The eaves and ridge height,
- The continuation of the rear roof plane,
- The principle of creating a third bedroom at first floor
- The location of the ground floor WC.

Crucial to the applicant's case is the ability to maintain a wall plate at the same level as the existing cottage as anything lower will further reduce the ability to form a room at first floor. The problem with this is that this will result in a bulkier and unacceptable built form.

Whilst moving the front building line back by another brick-and-a-half will ease the impact on the front elevation, the flush rear roof plane will remain. Considering the WC remains part of the proposal, the above means that only the stepped ridge will serve to define the end of the cottage when viewed from the rear.

To clarify my comment regarding outbuildings, where I previously stated "*would be similar to the form of outbuildings previously removed*" this was not with reference to any outbuilding attached to the principal building but to section 3.3 on page 11 of the Heritage Statement where it says "*Some of the earlier outbuildings to the rear of the*

cottages have been lost whilst the outbuilding to the back of 45 remains. (Fig. 3.6)” and which can be viewed in the image below.



I acknowledge the awkward rear boundary line which encumbers the provision of a ground floor WC to the left of the existing rear door. Having said that I am still of the opinion that the provision of the WC where current shown, diminishes the legibility of the host cottage when seen from the rear (above right) and being constructed in the same roof plane as the catslide to the reception room would create an unwelcome additional mass of built form at the rear.

Finally, with regard to ‘public benefit,’ the applicant says that the appearance and positioning of the proposed garage would benefit the wider community in the sense it visually improves the central location of the village. Making a positive contribution to local character and distinctiveness of Lilley. In my opinion, this degree of public benefit is considered negligible when applying the weighted balance.

### **Recommendation**

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (para 205, NPPF). It is considered that the proposal will harm the special character of the listed building and the appearance of the Lilley Conservation Area.

I have adjusted my draft R for R’s below but maintain my **OBJECTION**:

### **23/01749/FPH**

*Nos. 41, 42, 44 and 45 form a predominantly brick-faced, elongated L-plan built form sitting perpendicular to the road with gabled, through-eaves, dormer windows, on a prominent corner site. The building’s significance is attributed to its date of construction and the fact that it is ‘timber framed brick cased’ with a ‘2-cells, lobby entry, internal chimney plan and axial floor beams to inserted floor’. The significance of this terrace also lies in the fact that it sits alongside no.48 (Church Cottage) which is also grade II listed and broadly similar. Both buildings are in the Lilley Conservation Area and the south (front) elevation to no.45 is well-balanced with an off-centre doorway and central ridge stack with a ground floor 3-light window and first floor double-casement through-eaves dormer either side of these. **By reason of the extension’s continuous rear roof plane and the WC section of the catslide arrangement wrapping around the rear corner the original gable end, the legibility of the cottage’s form is eroded. Together with the extension’s height (eaves and ridge) and rendered finish, the extension would have both a non-subservient and contrasting impact upon the host building. This detracts from the terrace’s existing elongated brick-faced appearance and would unbalance the appearance of no.45 occasioning harm thereto.** The degree of harm is considered to be less than substantial. The building already has an optimum viable use, and the proposal would not deliver any public benefits. Furthermore, there is no convincing justification put forward in support of this proposal. The development would fail to satisfy the provisions of Sections 66(1) and & 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and would fail to satisfy the aims of Section 16 of the NPPF and Policy HE1 of the North Hertfordshire Local Plan 2011 – 2031.*

**23/01750/LBC**

Nos. 41, 42, 44 and 45 form a predominantly brick-faced, elongated-plan built form sitting perpendicular to the road with gabled, through-eaves, dormer windows, on a prominent corner site. The building's significance is attributed to its date of construction and the fact that it is 'timber framed brick cased' with a '2-cells, lobby entry, internal chimney plan and axial floor beams to inserted floor'. The significance of this terrace also lies in the fact that it sits alongside no.48 (Church Cottage) which is also grade II listed and broadly similar. Both buildings are in the Lilley Conservation Area and the south (front) elevation to no.45 is well-balanced with an off-centre doorway and central ridge stack with a ground floor 3-light window and first floor double-casement through-eaves dormer either side of these. *By reason of the extension's continuous rear roof plane and the WC section of the catslide arrangement wrapping around the rear corner the original gable end, the legibility of the cottage's form is eroded. Together with the extension's height (eaves and ridge) and rendered finish, the extension would have both a non-subservient and contrasting impact upon the host building. This detracts from the terrace's existing elongated brick-faced appearance and would unbalance the appearance of no.45 occasioning harm thereto.* The degree of harm is considered to be less than substantial. The building already has an optimum viable use, and the proposal would not deliver any public benefits. Furthermore, there is no convincing justification put forward in support of this proposal. The development would fail to satisfy the provisions of Sections 16(2) and & 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and would fail to satisfy the aims of Section 16 of the NPPF and Policy HE1 of the North Hertfordshire Local Plan 2011 – 2031.

**Mark Simmons**  
**Senior Conservation Officer**

This page is intentionally left blank