

# Public Document Pack

## NORTH HERTFORDSHIRE DISTRICT COUNCIL

### PLANNING CONTROL COMMITTEE

THURSDAY, 18TH OCTOBER, 2018

### SUPPLEMENTARY AGENDA

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

<b>Agenda No</b>	<b>Item</b>
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2.	<b><u>MINUTES - 19 JULY 2018</u></b> (Pages 1 - 18)
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To take as read and approve as a true record the minutes of the meeting of this Committee held on the 19 July 2018.

These Minutes are to follow.

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## NORTH HERTFORDSHIRE DISTRICT COUNCIL

### PLANNING CONTROL COMMITTEE

MEETING HELD IN THE SPIRELLA BALLROOM, ICKNIELD WAY, LETCHWORTH  
GARDEN CITY  
ON THURSDAY, 19TH JULY, 2018 AT 7.30 PM

#### MINUTES

**Present:** *Councillors Mike Rice (Chairman), Michael Muir (Vice-Chairman), Daniel Allen, Ruth Brown, Paul Clark, Bill Davidson, Jean Green, Cathryn Henry, Mike Hughson, Tony Hunter, Ian Mantle, Sue Ngwala, Harry Spencer-Smith and Michael Weeks*

**In Attendance:** *Tom Rea (Area Planning Officer), Heather Lai (Senior Planning Officer), Nurainatta Katevu (Property and Planning Lawyer) and Amelia McInally (Committee and Member Services Officer)*

**Also Present:** *At the commencement of the meeting approximately 17 members of the public, including 6 registered speakers, 1 Member Advocate (Councillor Lisa Nash) and 1 Member of Press*

#### 24 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Sarah Dingley.

#### 25 MINUTES - 21 JUNE 2018

**RESOLVED:** That the Minutes of the Meeting of the Committee held on Thursday 21 June 2018 be approved as a true record of the proceedings and be signed by the Chairman.

#### 26 NOTIFICATION OF OTHER BUSINESS

There was no other business notified.

#### 27 CHAIRMAN'S ANNOUNCEMENTS

- (1) The Chairman welcomed the officers, general public and speakers to this Planning Control Committee Meeting.
- (2) The Chairman announced that Members of the public and the press may use their devices to film/photograph, or do a sound recording of the meeting, but she asked them to not use flash and to disable any beeps or other sound notifications that emitted from their devices. In addition, the Chairman had arranged for the sound at this particular meeting to be recorded;

- (3) The Chairman reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question;
- (4) The Chairman advised that Members would be using hand held microphones and asked they wait until they had been handed a microphone before starting to speak;
- (5) The Chairman asked that, for the benefit of any members of the public present at the meeting, Officers announce their name and their designation to the meeting when invited to speak.
- (6) The Chairman clarified that each group of speakers would have a maximum of 5 minutes. The bell would sound after 4 ½ minutes as a warning, and then again at 5 minutes to signal that the presentation must cease; and
- (7) Members were reminded that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and are required to notify the Chairman of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest and wished to exercise a 'Councillor Speaking Right', must declare this at the same time as the interest, move to the public area before speaking to the item and then must leave the room before the debate and vote.

## **28 PUBLIC PARTICIPATION**

The Chairman confirmed that the five registered speakers and one Councillor Advocate were present.

## **29 18/00191/RM HITCHIN CRICKET GROUND, LUCAS LANE, HITCHIN, HERTFORDSHIRE, SG5 2JA**

Reserved matters application for erection of 27 dwellings with access from Lucas Lane including scale, layout, design and landscaping (following the granting of outline planning permission reference 15/00192/1 granted 22/03/2016 – DEVELOPMENT A only).

The Area Planning Officer drew the Members attention to the following updates:-

1. The amended plans had been received concerning the width of part of the internal access road. The southern section of the access road had been increased to 4.8 metres in width following concerns raised by the Highway Authority. The amended plans included an updated site layout plan and a tracking drawing submitted to demonstrate that a refuse vehicle could pass any car parked within the carriageway.

2. The Highway Authority had confirmed that they had no objection to the amended plans subject to conditions and a planning informative. Seven conditions were recommended in total, however, 4 of these were already on the outline permission, therefore, it was recommended that if permission was granted that just the three conditions that had not been included on the outline consent were attached together with the Informative.
3. A letter received from Mrs Allen of Lavender Way Hitchin, had been circulated to all Members of the Committee. Mrs Allen raised a number of issues which included general development in Hitchin and the granting of outline permission and traffic generated by the development.
4. One typographical error in Paragraph 4.3.22 (Landscaping) on page 8 of the report. The third line from the bottom of the page should read "The hedge along the western boundary...." Rather than the eastern boundary.

The Area Planning Officer reminded the Committee of the background to the development proposal and updated Members on progress to the site, planning conditions and Section 106 matters. He reminded, also, the Members that the Council had already granted planning permission for a hybrid planning application which had concerned the sports club site in August 2015. The hybrid application had contained two elements:-

- (1) A fully detailed planning permission for sports related development for both the Cricket Club and Blueharts Hockey Club; and
- (2) Outline planning permission for 27 dwellings including means of access off Lucas Lane.

He informed the committee that the sports development would consist of a floodlit all weather pitch, a replacement sports pavilion, a score board building with ancillary changing rooms, an 84 space carpark and an upgraded access road off Lucas Lane.

He stated that, the Council had considered that the benefit of the sports facilities to the wider community constituted very special circumstances required to permit housing as enabling development.

All conditions that had related to the sports development had been discharged and various obligations required under the legal agreement had been met. Construction work was well-advanced with completion of all of the sports development due in December.

The Area Planning Officer stated the application put before the Committee that evening was seeking approval of the details of the housing development, involving the layout, scale, appearance and landscaping of the housing with the number of dwellings and the means of access having been previously approved. He reiterated that the principle of 27 houses on that site had already been established by the outlined permission and therefore asked members to focus on the detail of the reserved matters that he had set out in the report.

The Area Planning Officer presented a report in respect of planning application 18/00191/RM supported by a visual presentation consisting of detailed plans, drawings and photographs of the site and houses.

The Area Planning Officer requested that the Committee support the officer recommendation including the additional highway conditions and highway informative as requested by the Highway Authority.

Mrs Pamela Davies thanked the Chairman for the opportunity to address the Committee in objection to application 18/00191/RM.

Mrs Davies informed the Committee that she had been a resident in Lucas Lane for over 40 years and the views that she was expressing that evening, were as both a resident and on behalf of her local community.

The objection was to the housing development, this area of land was still in the green belt, and once developed that in turn would lead to further developer led housing along Lucas Lane

She felt that the total density for such a small site was too high and the housing mix on that site should be reviewed, providing bungalows and smaller two and three bedroomed properties and fewer four and five bedroomed properties.

The plans showed a few houses on the right of the site and a much larger road, this lead conveniently to the fence behind the mobile caravan site and another developer led site.

The plans also showed a footpath from the development into Lucas Lane, (near the junction with Gaping Lane), she stated that she felt it unnecessary when there was already a newly laid footpath leading up to the cricket club. She enforced her point by stating that making a footpath in Lucas Lane would involve destroying some of the ancient hedgerows where a variety of birds live and nest. She further stated that she had been informed that the boundary hedgerow would remain.

Stepping out through the hedge would be extremely hazardous due to traffic coming round the corner. Lucas Lane was known as a bridle path, it had no designated footpath status and she reported that unbeknown to herself and local residents, it's status was changed to a "by-way", which was open to all traffic. This had resulted in ever increasing levels of traffic in all shapes and sizes. It was felt that the level of traffic would inevitably increase with the construction of 27 dwellings, a new cricket club and hockey facilities.

Lucas Lane was already used as a "rat run" and it was felt that this would only intensify. Speed units could be put in place as in other parts of the town, but perhaps there should be "Access Only". The corner of Lucas Lane junctions with Gaping Lane and Lavender Way, had all been completely eroded by traffic. The footpath on the paved area, too, was broken.

During the development of the Cricket Club site, the vehicles using Oughton Head Way, Lavender Way and Lucas Lane had been horrendous, (this had made front page news in the Comet).

Huge lorries, up to 30 a day, 60 journeys using those narrow roads, mounting the footpaths, blocking driveways and covering the road with mud had been a danger to motorists, cyclists and pedestrians.

The parking of resident's cars was unavoidable in Oughton Head Way and Bedford Street. The houses on those roads were terraced and had no access to a drive. There had been an increase in the amount of parking in Lucas Lane, Gaping Lane and Lavender Way since the introduction of Parking Permits in Grays Lane and West Hill.

The surrounding footpaths were narrow and with the increase in pupil numbers due to rise substantially at the neighbouring school. Samuel Lucas, pedestrians and increased traffic movement would cause more congestion and danger.

Extra housing development of four properties on the Barleycorn Pub site and 18 properties on the Hitchin Hospital site, the increase in size of the cricket club car park from 25 spaces to 84 spaces would all add to the concerns.

If this development went ahead Mrs Davies dreaded to think what state the local roads would end in, with mud from the site and large construction vehicles causing a dangerous situation. Wormold Burrows Civil Engineering Consultants (March 2015) completed a comprehensive independent review on local traffic movement which was largely ignored by North Herts District Council. All of their predictions had proved correct in regards to the construction traffic.

Mrs Davies concluded that she had spoken to several neighbours stating that they felt that it was not worth trying to object to the development. They generally felt that no one listened to them. Many people in the local area had reported that they had sent in their objections and comments in April 2018, but had all been ignored.

The Chairman thanked Mrs Pamela Davies for her presentation.

Victoria Davies, Applicant's Agent thanked the Chairman for the opportunity to address the Committee in support of the application 18/00191/RM

She reported that the application was a reserved matters submission and outline planning permission had already been granted, therefore the principle of residential development on the site had already been fixed.

The proposals were acceptable for the setting of the site, with two storey dwellings proposed to fit in with the surrounding two storey housing.

The architectural style of the houses reflected that of the wider area with features such as gables, bay windows, brick headers and decorative brickwork incorporated into the design of the new houses.

The landscaping proposals retained as much existing vegetation as possible and included a comprehensive scheme of new planting. The landscaping would help integrate the development into the existing environment.

The development was considered to add to the overall quality of that part of Hitchin.

Car parking would be provided at the required level, but the site's location close to the town centre and other facilities would encourage walking and cycling.

Overall the proposals complied with the relevant parts of the NPPF, policy 57 of the adopted Local Plan and relevant policies of the emerging Local Plan. Ms Davies concluded by stating that she fully supported the conclusions and recommendation set out in the report put before the Planning Control Committee.

The Chairman thanked Victoria Davies for her presentation.

The Area Planning Officer clarified to the Member's as shown on the photograph's, the proposed footpaths and three access points.

The Area Planning Officer confirmed that the developer of the site would be required to submit a Construction Management Plan, a Construction Phasing and Environmental Management Plan prior to the commencement of work on the housing development as per the report.

The Area Planning Officer further confirmed to the Committee, the density of the development measured 19.3 dwellings per hectare and was appropriate for this edge of settlement location given the scale of the surrounding housing.

After Members raised concerns regarding the Construction Management Plan and through route issues, the Area Planning Officer confirmed that a more local contractor was being used who had been able to comply with the agreed construction traffic management plan.

He further stated, discussions had taken place and felt that issues of concern could be improved by making use of some temporary traffic regulations which would be used in various surrounding areas, which had included Lucas Lane and Bedford Street.

Members expressed concerns that construction traffic may cause a problem in Lucas Lane with it being extremely narrow and residents used that road to park their cars. The Area Planning Officer confirmed that construction traffic would not be allowed to use Lucas Lane at all, and would only use the adopted roads, Lavender Way and Oughton Head Way.

In response to a Member, the Area Planning Officer confirmed that Lucas Lane was accessible to cyclists and would remain so.

Upon being moved, seconded, and put to the vote, it was

**RESOLVED:** That planning application **18/00191/RM** be **GRANTED** planning permission subject to the conditions and reasons contained in the report of the Area Planning Officer, who presented three additional conditions and an Informative. In addition, the wording to condition 5 was amended.



*Condition 5 (amended wording)*

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 by the Local Planning Authority.

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

*Condition 6*

Before the development is first occupied, 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained both sides of each driveway. They shall be measured from the point where the edges of the access way cross the highway boundary, 0.65 metres into the site and 0.65 metres along the highway boundary. Therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 600mm and 2.0 metres above the footway level.

Reason: To provide adequate visibility for drivers entering and leaving the site.

*Condition 7*

Before the new access is first brought into use, vehicle to vehicle visibility splays of 2.4 metres by 2.6 metres in both directions shall be provided and permanently maintained. Within which there shall be no obstruction to visibility between 600mm and 2.0 metres above the footway level. These measurements shall be taken from the intersection point along the edge of the carriageway.

Reason: To provide adequate visibility for drivers entering and leaving the site.

*Condition 8*

The access road to the residential development shall be 5.5 metres wide, that narrows to 4.8 metres as shown on swept path analysis drawing number Drawing Number WIE/SA/95/0001 revision A07 and drawing number PL.01 revision U.

Reason: To facilitate the free and safe flow of other traffic on the highway and the safety and convenience of pedestrians and people with a disability.

*Highway Informative:*

HCC recommends inclusion of the following highway informative to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

- Works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication Roads in Hertfordshire Highway Design Guide. Before proceeding with the proposed development, the applicant shall follow the link below; <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or call on 0300 1234 047 to obtain the requirements for a section 278 agreement for the associated road works as part of the development. This should be carried out prior to any development work is carried out.

Reason: To ensure that work undertaken on the highway is constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the Public Highway.

- Prior to commencement of the development the applicant shall contact Network Management North at [NM.North@hertfordshire.gov.uk](mailto:NM.North@hertfordshire.gov.uk) or call on 0300 1234 047 to obtain the requirements to arrange a site visit to agree a condition survey of the approach of the highway leading to the development likely to be used for delivery vehicles to the development. Under the provisions of Section 59 of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of traffic associated with the development. Herts County Council may require an Officer presence during movements of larger loads.

**30 18/01249/FP 16 TRAHERNE CLOSE, HITCHIN, HERTFORDSHIRE, SG4 9DS**

Conversion of existing 1-bed annex into self-contained dwelling.

The Senior Planning Officer presented the report of the Development and Conservation Manager in respect of planning application 18/01249/FP supported by a visual presentation consisting of plans, drawings and photographs of the site.

The Senior Planning Officer informed the Committee that two additional conditions had been recommended since the production of the report pertaining to drainage and visibility.

The Senior Planning Officer updated the Committee on the Proposal. He gave the background as per the report, stating that Planning Permission had previously been granted for the erection of a single storey side annex extension to the dwelling and the current application was seeking permission for the separation of the existing house and the annex into two separate, self contained dwellings.

The first floor alterations, were not proposed as part of the approved scheme, and were not originally shown on the submitted drawings. She explained that a site visit had confirmed that the creation of the useable space at first floor level had been undertaken and therefore amended drawings had been provided to show the situation.

Mrs Clare Little thanked the Chairman for the opportunity to address the Committee in objection to application 18/01249/FP.

Mrs Little informed the Committee that she spoke that evening as both a resident and on behalf of other home-owners in Traherne Close. She stated it was felt by herself and the home owners that the Council appeared to be of the opinion, that, because some of the breaches of the previously granted planning consents had been addressed by amending the current plans, that they were no longer of concern.

She informed the Committee that was certainly not the case, and further stated that deliberate flouting of planning consents could not be ignored. What had been built, was what had been originally withdrawn, after the officers were of a mind to refuse it, and not the plan that was granted. She stated that the applicant had totally ignored the conditions to the previous permission, building anything they wanted and then trying to gain permission retrospectively, which was wrong. If the planning permission was to be passed, imagine the open-door message it would send out.

She specified other breaches that she felt had not been addressed correctly:-

Parking Item (4.3.14). The matter of parking and the dropped kerb, the Planning document stated that there were two spaces at the existing site. That was incorrect. There was only one car parking space outside the Annex.

The garden in front of the host property needed to support the two spaces required. That was too small. The proposed driveway plan that had been provided at the request of the Highway Authority would not work. It would not work even if the front wall was demolished and the tree removed. The removal of part of the front wall had not been requested, and with the addition of a dividing wall would create a land-locked front garden.

The parking was a condition of the original granted plans and should have been sorted before the start of the build. She asked that the measurements be checked by the Highways Authority, stating that a building could not be brought into use until this had been carried out.

Another condition imposed on the original consent that had not been carried out, was the grass verge and pavement. She informed that it had been concreted over outside the annex and never been reinstated.

Another breach had been pertaining to the back garden. The conditions on the planning approval for the annex clearly stated that the annex would be "occupied by an elderly relative of the owner" and "would share the rear garden with number 16". That amendment was added to remove any fire concerns over the close proximity of a petrol station to a land-locked garden. Mrs Little asked if that was now to be ignored?

No objection was raised by the Council's Environmental Health Officer previously, because the bin store was on the other side of the building and not underneath someone's ground floor bedroom window.

The original planning application in January 2017 was withdrawn because the Planning Officer was of a mind to refuse it on the grounds of over-development. Mrs Little asked what exactly had been asked in that original application and was now not considered an over-development?

A two bedroom bungalow according to that proposal, had now been turned into a two bedroom house. She asked what the point was of gutting the entire property, rebuilding it and spending all of that money? Mrs Little felt that the answer was that a three or four bedroomed house had in fact been built and changing the plan to read 'study' or 'reception room 2' did not alter that reality.

The same applied to the annex. To breach planning consents by blocking up a doorway and building a staircase, fitting a velux window, plaster and decorate what was now described as 'storage' if it was not be used as a habitable accommodation. It was a two bedroom on the application and had been amended to a one bedroom as an attempt to make the car parking situation work. She felt that this was an excellent example of an unsympathetically built over-development. It was not permitted in the first place and certainly should not be permitted now.

Mrs Little explained that the residents of Traherne Close were reassured by the restrictive covenant placed on the land in 1957, stating that no additional dwelling could be built on the land attached to the covenant.

Whist it was understood that such covenants could not be taken into consideration by the Planning Officers, she wished to point out that such covenants were attached to the land and continued to apply if the land was sold on.

The granting of planning permission did not overrule a restrictive covenant, which could last indefinitely. It could not be removed, it was legally binding and was enforceable by the courts.

Mrs Little, in conclusion, stated that if this application was to be passed, it would set a very dangerous precedent across North Hertfordshire, because the developer had totally disregarded the proper planning process and had built what he himself desired. She asked the Committee to please deny the application and address the breaches to the previously granted conditional planning permission that had already occurred.

Mrs Little, in response to a Members query of the parking situation at the property, explained to the Committee that the driveway, as it stood, was not substantial, being able to accommodate only four cars, with number 16 being the host property, it had to allow for cars to pass within it, being a shared drive. She confirmed the opposite side of the very busy Stevenage Road was double-yellow-lined.

A Member expressed his concern over the viability of the application, and had this been an application to build another house? He stated, that given the limited space available the answer would be no, a case of over-development onto an inadequate site and furthermore destroying a front garden, turning it into a carpark to accommodate more vehicles.

He disagreed with the Officer's recommendation.

In response to several Members queries, the Senior Planning Officer advised that a planning application could only be assessed based on the information that was given at that time. When the previously approved application was put before the Development and Conservation Manager, it was only ever considered as an annex, and there was no condition placed on the application.

Upon being moved, seconded, and put to the vote, it was

**RESOLVED:** That the planning application **18/01249/FP** be **REFUSED** planning permission contrary to recommendation for the following reasons:

The proposed development, by reason of the intensification of use, restricted plot size and lack of landscaping, results in an overdevelopment of the site to the detriment of the visual and residential amenities of the locality. As such, the development fails to achieve an adequately high standard of environment contrary to Policy 57 of the North Hertfordshire District Local Plan and Section 7 of the National Planning Framework.

Proactive statement amended to:

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.

**31 18/01238/FPH 8A PARK LANE, KNEBWORTH, HERTFORDSHIRE, SG3 6PE**

Ground floor carport infill extension to create double length garage.

The Area Planning Officer drew the Members attention to the letter from the occupier of No. 8A the applicant (Mr Collins) in support of the proposals. The letter had been sent earlier that week to all Members of the Committee.

Mr Collins addressed the concerns of his neighbour and his comments could be summarised as follows:-

- The proposals would not impact in the use of No. 8B's car port.
- The design of the proposals would be in keeping with the existing property.
- Parking would not be lost – the garage would be used for car parking and storage – the parking arrangement would remain as they were now.

The Area Planning Officer presented in respect of planning application 18/01238/FPH supported by a visual presentation consisting of detailed plans, drawings and photographs.

The Area Planning Officer asked that the Committee support the officer recommendation as set out.

Mr Gareth Stinton thanked the Chairman for the opportunity to address the Committee in objection to application 18/01238/FPH.

Mr Stinton informed the Committee that he was the applicant's neighbour residing at 8A Park Lane and raised the following points of objection to the application:-

- The existing garage width did not meet minimum requirements, and it was stated on NHDC's website that in order to count as a parking space for the purpose of approving planning permission, a garage must measure 3 metres wide by 7 metres in length internally. He stated that his existing garage measured just 2.9 metres in width, and therefore did not count as a valid parking space. Given that the properties were mirror images, he would assume that the dimensions were identical. He further stated that at that time, neither property used their garages for parking as they were not practical. He understood that the minimum number of car parking spaces per property over two bedrooms in size should be two. Their properties were new build five bedroom houses, only completed in 2015, and have the absolute minimum number of parking spaces.
- The proposal would reduce parking by two spaces. His parking space in the shared car port would become redundant in the event that a dividing wall was built. It would be simply too narrow to get into his car. The proposal would have the result of extending 8A's current garage and would effectively also turn his side into a garage of the same width as his existing one, albeit with no door. Even with the thinnest of walls, such a garage would not meet the minimum dimensions necessary to count as a space. In addition, they would also be only 445cm in length, which would be below the minimum requirements. The result of the proposal would be two five bedroomed homes with just one car parking space each, and surely would never have been approved for planning permission on that basis. He would not have purchased the property three years ago with only one car parking space, and would expect the proposal to be detrimental to the value of our property.

- The proposal would create parking and access issues. Parking in Knebworth was an ongoing concern and their properties were very close to the station. There was a consultation to put double-yellow lines outside the property, making it even more difficult with regard parking, as at that time there were no free spaces on the street to be found. Within the new developments of 8A to 8D Park Lane, the parking was already chaotic, with vehicles regularly parked in areas which deeds specify should not be used. The existing parking provision was inadequate. In the event that 8A extended the garage lengthways he would have no option but to try to park his two cars on the shared driveway. He had been informed by the Applicant that he intended to use the extension as a workshop, whilst the rear of the existing garage would be converted to form part of the house. He understood that the plans submitted also marked the garage for use as a workshop. In his view that remained their intention, despite any statements now to the contrary. There was no room for two cars to be parked in front of 8A and it would block safe access to the highway and that would be in breach of the deeds of the property. The purpose of the shared driveway was to allow vehicles to drive in one way and drive out the other, thus ensuring vehicles were not forced to reverse out onto the highway and ensure access for delivery trucks and service vehicles. He understood that it was a specification of the original planning consent. He further stated that the proposal reduced parking spaces and would lead to cars obstructing the right of way across the shared driveway. He had to step into and open his car door over the neighbour's side of the car port in order to gain access to his vehicle for which he considered his right to do so, as it formed part of the shared driveway.
- Detrimental Visual Impact. Mr Stinton was concerned about the negative effect that the planned garage extension would have on the frontage of the property. The current appearance of the properties was symmetrical and attractive, whilst the result of the garage extension would make the properties uneven and leave his side with a very off, narrow space at the front akin to a garage without a door.

In conclusion, Mr Stinton wanted to make it clear that he regretted that the proposal would impact his property to the extent that he had been forced to make his objection and summarised his points as follows:-

1. The existing garage did not meet planning requirements to be used as a parking space.
2. Any extension to the garage would therefore reduce the number of parking spaces available by two to only one per property, circumstances under which the initial build, he felt, would not have been approved.
3. Parking in Knebworth was already an ongoing concern.
4. Access was already tight and many collisions had occurred, with damage to both properties.
5. In order for the use of the car port as parking spaces to remain practical and to meet the council's own requirements it was necessary for him to be able to have access on his neighbour's side of the carport when accessing his vehicle.
6. The proposal would result in an unattractive visual impact on two properties in a prominent location.

In response to a Member's query relating to the difference in garage measurements in the report, and those taken by Mr Stinton. Mr Stinton stated that he had measured the inside of his garage confirming it was 2.9 metres wide, and the carport as a whole took up the same amount of space.

Councillor Lisa Nash thanked the Chairman for the opportunity to address the Committee in Objection to application 18/01238/FPH.

She stated that the dwelling was relatively new having been built in 2015 and formed part of a pair of semi-detached houses which were situated directly opposite the Knebworth Village Hall and Church. Any alteration that was made to the front of either of the two properties would have a negative impact on the street scene contrary to policy 57. NHDC was well aware of the inherent parking issues. If the application was to be granted it would result in a loss of not one, but two car parking spaces.

Her understanding was that when the properties were built, that both the garage and the carport were both designated parking areas.

As both properties have five bedrooms they should have the minimum parking provision of two spaces per dwelling which would not be met contrary to SPD2011 paragraph 4.5, which stated that the minimum parking provision would be met in both places.

In order that the residents of 8B were able to use the car parking spaces under the carport, it was necessary for them to cross the boundary into the neighbouring carport to access the front door. Therefore, if the proposal was to go ahead this would give the result in the loss of an amenity for the residents of 8B, as they would no longer have the use of their carport.

Currently the road in which these dwellings sat is under consultation for a controlled parking zone which would result in no on street parking.

If Planning Permission was to be granted, she respectively requested that a condition be put in place regarding parking provision.

Mr Mark Collins thanked the Chairman for the opportunity to address the Committee in support to application 18/01238/FPH.

For clarification, Mr Collins explained that the space was not intended to be a workshop, which had never been stated. He did point out, however, that it was written on the plans, but had been a typographical error. The space would only be used for storage, parking vehicles and DIY.

The work formed part of broader plans to build a rear kitchen extension, utility room and porch which would increase the size of the ground floor. However, he stated that none of those plans had been finalised, and, would perhaps never happen due to personal circumstances.



Mr Collins touched on the rationale of his plan stating that the ground floor was disproportionately small relative to the rest of his property. Storage was becoming more challenging with a growing family, in that, he needed accessible space for buggies, car seats, garden toys, bicycles etc. He stated that the carport infill would provide a quick and cost effective solution to address his needs. Extending the garage would provide also, more security for high value items such as his triathlon equipment and tools.

Mr Collins was aware that the plans would impact 8B and had a meeting in February with his neighbours to explain their plans in depth and potential issues in person. The meeting was given in a spirit of transparency and to give his neighbours an opportunity to raise concerns. He had only been made aware of 8B's objections two months later after the application had been submitted.

Mr Collins stated that he was now in a position that he wanted to avoid in the first place. He would have reconsidered if his neighbours had notified him of their intentions in the two months prior to the application being submitted. He was now £700 out of pocket and facing the prospect of a legal battle, wasted time and money which could have been used for an alternative solution.

Mr Collins informed the Committee of two critical points that he wished to address:-

**1. Parking Concerns**

- Each property was originally allocated two car parking spaces – a space immediately in front of the house, and the carport.
- Enclosing the carport would not change that arrangement.
- The enlarged garage created would be 3.0m x 12.0m, (larger than the dimensions laid down in the “Supplementary Planning Document (SPD), Vehicle Parking at New Developments”, which stated that garages of a least 3.0m by 7.0m would be counted towards the parking provision of the property.
- As the parking situation would not change there would be no impact on parking.
- There was no issue with safe access to the highway.
- Any other issues which had been raised as a direct consequence of loss of parking were not applicable.
- None of the other neighbours had expressed concerns over the shared access-way.
- The electric garage door had been specified to facilitate easy access to the garage for stored items and for parking a car without having to get out.

## **2. The Use of 8B's Carport**

- No secret was made of the fact there would be some impact to both carports by erecting a partition.
- The reality was, that the impact was minimal, and the carport would remain perfectly useable.
- The carport would be over 3.0m wide, 60cm wider than the average supermarket parking space, (2.4m).
- Tested with his own car which was larger than his neighbours and when parked centrally
  - i. There was adequate space to open car doors; and
  - ii. remove car seats from the side of the car adjacent to the existing wall.
- Confident that if he could manage, then 8B should have no such issue, especially since they owned a smaller car.

The Area Planning Officer, when asked for clarification from a Member, confirmed that the Applicant's intention was not to use the space as a workshop.

After discussion, upon being moved, seconded, and put to the vote, it was

**RESOLVED:** That the planning application **18/01238/FPH** be **GRANTED** planning permission subject to the conditions and reasons contained in the report of the Area Planning Officer and the revised condition set out below:

Condition 3 amended to read:

3. On completion of the works hereby permitted, the extended garage shall be kept available for the parking of motor vehicles.

Reason: To ensure the provision of satisfactory car parking facilities clear of the public highway.

## **32 PLANNING APPEALS**

The Area Planning Officer presented the report entitled Planning Appeals and drew attention to the various appeal decisions, including the Land adjacent to Elm Tree Farm, Hambridge Way, Pirton SG5 3QY.

**RESOLVED:** That the report entitled Planning Appeals be noted.

The meeting closed at 9.12pm

Chairman



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