

<b>ITEM NO:</b>		
	<u>Location:</u>	<b>11 Common Rise Hitchin Hertfordshire SG4 0HL</b>
	<u>Applicant:</u>	<b>Mr Adam Thapar</b>
	<u>Proposal:</u>	<b>Part two storey, part single storey front extension, two storey rear extension, erection of single garage off existing access from Cooks Way following demolition of existing garage</b>
	<u>Ref. No:</u>	20/00012/FPH
	<u>Officer:</u>	<b>Ben Glover</b>

**Date of expiry of statutory period:** 28/02/2020

**Extension of statutory period:**

**Reason for Call in:** Application called in by Cllr Kay Tart if minded to refuse for the following reason – “in the public interest”

**1.0 Submitted Plan Nos.:**

- 3528 01 – Location Plan
- 3528 29 – Existing Drawings
- 3528 50A – Proposed Elevations and Site Plan
- 3528 51B – Proposed Ground Floor and First Floor Plans and Garage

**2.0 Policies**

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

- Policy 28 – House Extensions
- Policy 55 – Car Parking Standards
- Policy 57 – Residential Guidelines and Standards

**2.2 National Planning Policy Framework**

- Chapter 12 – Achieving well-designed places

## 2.3 **North Hertfordshire Draft Local Plan 2011-2031 - (Incorporating the Proposed Main Modifications November 2018)**

- D1 – Sustainable Design
- D2 – House Extensions and Replacement Dwellings
- D3 – Protecting Living Conditions
- T2 – Parking

## 2.4 **Supplementary Planning Document**

Vehicle Parking at New Development SPD (2011)

## 3.0 **Site History**

19/01894/FPH - Single storey front and side extension and two storey rear extension. Demolition of existing garages and proposed single garage off existing access from Cooks Way, Hitchin (as amended by plans received on 30/09/2019) – Granted Conditional Permission on 22/10/2019.

## 4.0 **Representations**

### 4.1 **Neighbouring Notifications:**

The owners/occupiers of No. 5, 9 and 13 Common Rise were notified on 09/08/2019. Representations have been received from No. 9 Common Rise, 14 Common Rise, 31 Common Rise and 17 Kingswood Avenue. Comments from neighbours are summarised below:

#### 5 Common Rise (Support):

- The front and rear extensions would be a welcome addition to the street and am pleased to see something in keeping with the style of the house.
- Improvement to the character of the frontage.

#### 11 Common Rise (Support):

- The house has become tired and needs modernising.
- Agree with the need to update the layout and modernise the stairs as they are dangerous and impractical.
- The front design will enhance the street and give a nice new look to the frontage.

#### 9 Common Rise (Objection):

- Extension will block daylight from the front window.
- Obscure view from the front window.
- No other property has a full front extension, they only have half.
- Would not be parallel with No. 9 and 11 Common Rise.

#### 14 Common Rise (Support):

- Would not change the character of the road.
- Plans are in keeping with the architecture of the period.
- Many houses along Common Rise have existing front extensions in different styles and characters from the one proposed.

#### 31 Common Rise (Support):

- House has become tired and needs modernising.
- Agree with the need to update the layout and modernise the stairs. They are dangerous and impractical.
- The front design of the house will enhance the street and gives a nice new look to the frontage.
- The newly submitted drawings improve on those already approved.

#### 17 Kingswood Avenue (Support):

- A number of properties in Common Rise have been extended to varying degrees and in a number of different styles, including first floor extensions to the side, which means this proposed extension is not the first of its kind.
- There are a large number of ground floor front extensions of varying style along with porches and canopies meaning there is no consistency of design on this street.
- The design is considerate and sympathetic to neighbouring properties. The extension will not block the neighbours light or obstruct windows.
- Given the limitations of these properties, we should be encouraging and supporting extensions and design proposals which make these properties more accessible and more usable in the 21<sup>st</sup> Century.

#### **4.2 Parish Council / Statutory Consultees:**

N/A

#### **5.0 Planning Considerations**

##### **5.1 Site and Surroundings**

5.1.1 No. 11 Common Rise is a two-storey semi-detached property situated on the west side of Common Rise and within a predominately residential area of Hitchin. Common Rise is characterised by predominantly semi-detached properties of similar age, character and design. Car parking is a mixture of both off and on street. The site is not situated within a Conservation Area.

##### **5.2 Proposal**

5.2.1 Planning permission is sought for the erection of a part single, part two storey front extension and a two-storey rear extension. Permission is also sought for the erection of a detached garage to the rear of the plot and a replacement boundary wall to the front of the property.

- 5.2.2 The proposed two storey front extension would measure approximately 1.2m in depth, 4.4m wide and 6.8m in height with 5.1m to the eaves. The single storey front extension would measure 1.5m in depth and 3.8m in height.
- 5.2.3 The proposed two storey rear extension would consist of two parts. The gabled extension and the flat roof extension. The gabled roof extension would measure approximately 5.9m in depth and 6.5m in height with 4.8m to the eaves. The flat roof extension would measure approximately 5.5m in depth and 5.3m in height. Combined the two-storey rear extension would measure 7.2m in width.
- 5.2.4 The garage building would measure approximately 6m in depth, 3.9m in width and 3.4m in height. The garage would feature a gabled roof form.

### 5.3 Key Issues

- 5.3.1 The key issues for consideration are as follows:
- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
  - The impact that the proposed development would have on the living conditions of neighbouring properties.
  - The impact that the proposed development would have on car parking provision in the area.

#### Design and Appearance:

- 5.3.2 The objectives of the National Planning Policy Framework (NPPF) include those seeking to secure high quality design and a good standard of amenity (Section 12 – Achieving well-designed places). In this regard, Policy 28 and 57 of the Current Local Plan and Policy D2 of the Emerging Local Plan is consistent with the NPPF.
- 5.3.3 Paragraph 127 of the NPPF states that development should “*add to the overall quality of the area*” and is “*sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change*”.
- 5.3.4 Policy 28 of the Current Local Plan states that “*for house extensions, the Council will normally only permit development proposals if... the extension is sympathetic to the existing house...*”
- 5.3.5 Policy 57 of the Current Local Plan offers objectives and guidelines that all proposals for residential development including extensions are expected to meet. Guidelines 1 states “*concern for the site and surroundings is equally, if not more, important for small developments or conversions. For example, single dwellings or minor changes to a barn can have a disastrous impact on the street scene or building itself.*” Guidelines 1 goes on to states “*existing features should be retained as far as possible and special account be taken of the sites location... Development proposal on sites with areas having an ‘established’ character will need careful consideration as to whether they are acceptable at all. If they are, then the design and siting of buildings should enhance the areas character.*”

- 5.3.6 Guideline 2 of Policy 57 states “*to achieve the highest standards of design, housing proposals should relate to and enhance their site and surroundings*”.
- 5.3.7 Policy D1 of the Emerging Local Plan states that development proposal should “*respond positively to the site’s local context*”. Policy D1 is reflected in Paragraph 127 of the NPPF stated above (5.3.3).
- 5.3.8 In this case, it is important to examine the prevailing character of the area and reflect on how the proposal responds to this in consideration of the planning policy set out above.
- 5.3.9 Common Rise is residential in nature with each property of similar character and appearance to one another. The street scene therefore has an established character of semi-detached two storey dwellings of similar scale and appearance when viewed from within the public highway. Common Rise features a number of existing alterations to dwellings including two storey rear extension, single storey front extensions and a limited number of two storey side extensions.
- 5.3.10 The development proposes the erection of a part single, part two storey front extension, two storey rear extension and a detached garage to the rear of the site. The single storey front extension, two storey rear extension and detached garage have been previously approved under application reference number 19/01894/FPH. This application proposes the addition of a first-floor front extension, which is considered a departure from the prevailing character of Common Rise. Whilst it is noted that most properties along Common Rise feature single storey front extensions of varying size and design, no property yet features a two-storey front extension. Whilst the varying designs of single storey front extensions are considered, considering the limited single storey nature of the existing extensions along the street scene, the established character and appearance of properties within Common Rise remains predominant. A two-storey front extension would fail to remain subservient to the character and appearance of the host dwelling and would fail to be in keeping with the character of Common Rise.
- 5.3.11 In addition to the above, the two-storey front extension would set a precedent for the remaining properties along Common Rise that may result in the erosion in the established character of this street scene.
- 5.3.12 No objection is raised to the erection of a two-storey rear extension, detached garage and single storey front extension of design and appearance grounds. However, the erection of a two-storey front extension is considered to fail to respond positively to the sties local context and would fail to remain subservient to the character and appearance of both the host dwelling and street scene. The proposed development would therefore fail to comply with Policy 28 and 57 of the Current Local Plan, Policy D1 and D2 of the Emerging Local Plan and Section 12 of the National Planning Policy Framework.

#### Impact on Neighbouring Properties:

- 5.3.13 A core planning principle set out in the NPPF is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policy 28 of the Local Plan and D3 of the Emerging Local Plan.
- 5.3.14 The application site is neighbored by No. 9 and 13 Common Rise. No. 9 features an existing part single, part two storey rear extension and single storey front extension. The proposed development would not project beyond the existing rear elevation of the neighbouring property. It is noted that the single storey extension to the neighbouring property is a conservatory. However, given that the application site is to the north of the neighbouring property, the conservatory would not suffer any unacceptable loss of light to this part of the extension. Additionally, it is not considered that the rear extension would result in an unacceptable overbearing impact upon the neighbouring occupiers.
- 5.3.15 The front extension proposed to No. 11 Common Rise would project approximately 1.5m along the party boundary with No. 9 Common Rise. Given the single storey height of this projection and the relationship the property has with the path of the sun throughout the day, it is considered that the front extension would not result in any unacceptable overbearing impact or loss of light to the neighbouring occupiers.
- 5.3.16 No. 13 Common Rise is detached from the application site. Whilst the two-storey rear projection would project beyond the rear elevation of the neighbouring property, given the detached nature of the two neighbouring properties, it is considered that the two-storey rear extension would not unacceptably impact the light, privacy or amenities of the neighbouring occupiers.
- 5.3.17 The proposed development would include the addition of first floor side facing windows. One would be obscure glazed and the other clear glazed. It is noted that the existing property features a number of first floor side facing windows that are clear glazed. It is therefore considered unnecessary in this instance to condition the first-floor side facing windows to be obscure glazed given that the proposal would not result in any additional overlooking or loss of privacy to the neighbouring occupiers.
- 5.3.18 Given the above, it is considered that the proposed development would not result in any unacceptable overbearing impact upon the occupiers of the neighbouring occupiers. The proposed development would be in compliance with both local and national planning policies.

#### Highways and Parking:

- 5.3.19 The application site would provide two off-street car parking spaces to the rear of the site. The proposed development would provide a sufficient amount of off-street car parking for the resulting size of the dwelling.

#### Environmental Implications:

- 5.3.20 The proposed development would be sustainable given its limited scale and appropriate design within the sites local context. The proposal would be in compliance with Policy D1 of the Emerging Local Plan.

#### Other Considerations:

- 5.3.21 The applicant raises the issue of crime along Common Rise and argues that the development would help in preventing crime in the area. No substantive evidence has been provided that the creation of a two-storey front extension would discourage crime anymore than the current situation. The existing front elevation is not currently windowless and provides outlook onto public spaces as do other properties along this part of the street scene.
- 5.3.22 The applicant also makes note of Paragraph 38 of the NPPF not being met by the Local Planning Authority. Paragraph 38 requires Local Planning Authorities to approach decisions on proposed development in a positive and creative way. A similar application was submitted under reference number 19/01894/FPH and was amended plans were negotiated and agreed to remove the first-floor front element of the proposed development. The amended plans were subsequently granted Conditional Permission on 22/10/2019. The current application is proposing a larger development than what was previously originally proposed. It is considered that the councils position on the application was made clear as part of the previous application. There has been no material change to planning policy in the interim and therefore the Local Planning Authorities position remains unchanged from the previous application.
- 5.3.23 The majority of works proposed have been previously approved with the exception of the first-floor front extension. There is no objection to any other works proposed within the site.

#### **5.4 Conclusion**

- 5.4.1 The proposed development would fail to remain subservient to the original building when viewed from within the public street scene by reason of its scale and siting to the original front elevation of the host dwelling. Furthermore, the front extension would be a departure from the uniform character of Common Rise and therefore fails to remain sympathetic to the local character and history of the area.

#### **5.5 Alternative Options**

None applicable

#### **6.0 Legal Implications**

- 6.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

## 7.0 **Recommendation**

7.1 That planning permission be **REFUSED** for the following reasons:

1. The proposed development, by reason of its size, design and siting, would result in an unacceptable harmful impact upon the character of the area by reason of its failure to remain sympathetic to the scale, appearance and history of the locality. The proposal would therefore fail to comply with Policy 28 and 57 of the Current Local Plan, Policy D1 and D2 of the Emerging Local Plan and Section 12 of the National Planning Policy Framework.

### **Proactive Statement:**

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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.