

<u>Location:</u>	181 Weston Way Baldock Hertfordshire SG7 6JG
<u>Applicant:</u>	Mr Josh Munford
<u>Proposal:</u>	Erection of detached garage/store.
<u>Ref. No:</u>	23/02040/FPH
<u>Officer:</u>	Melissa Tyler

Date of expiry of statutory period: 08.11.2023

Reason for Delay

COMMITTEE CYCLE – extension of time agreed

Reason for Referral to Committee

Call in by Cllr Willoughby - The resident applicant was advised that this application would be refused due to the build being too close to the front boundary line which would affect the street scene. Therefore, my reason for calling this in is that I dispute this reasoning on behalf of the resident.

1.0 Policies

National Planning Policy Framework

Section 12 – Requiring good design.

Supplementary Planning Document.

Design Supplementary Planning Document 2011
Developer Contributions Supplementary Planning Document January 2023

North Herts Local Plan 2011-2031 Local Plan and Proposals Map

SP1: Sustainable development in North Hertfordshire
SP2: Settlement Hierarchy and Spatial Distribution
T2: Parking
D1: Sustainable design
D2: House extensions, replacement dwellings and outbuildings
D3: Protecting living conditions

2.0 Site History

- 2.1 **20/00969/NCS** Single storey rear extension with the following dimension:
Length as measured from rear wall of original dwelling - 4.04 metres **Prior Approval Not Required.**

2.2 **20/01020/LDCP** Front porch and insertion of two roof lights in existing front roof slope.
GRANTED

3.0 **Representations**

3.1 **Neighbour Consultation –**

179 Weston Way, Baldock – OBJECTION

I have several concerns regarding this proposed development:

The first is that the plans state that the building will be 0.7m away from the northern boundary: This boundary is formed by a privet hedge belonging to 179 and it is likely that the construction of this garage so close to it will cause damage to the roots when digging the foundations (these are likely to be wider than the walls and therefore very close to the hedge). Further potential damage is likely to be caused in the longer term by lack of light and water run off from the roof of the garage. The hedge has been there for many years and is often used by nesting birds; it would be a great shame if it were to be partially killed by this development.

The second concern is that the plans show the garage/store being screened from the road by a large hedge. The hedge and the building will make exiting from my property (and also 181) more difficult/unsafe as it reduces the visibility, particularly of pedestrians on the pavement.

These concerns could be addressed by building the garage further away from the boundary with 179, further back from the road and by keeping the front hedge to a reasonable height.

My final comment is regarding exterior lighting for the proposed garage. The plans show the access door to be facing the front of the houses. If there is to be exterior lighting for this, it should be kept to a reasonable level and not be intrusive to the neighbouring property.

81 The Spinney, Weston Way, Baldock - SUPPORT

I have lived in Weston Way for over 20 years. I would like to endorse this proposal as it is perfectly in keeping with other developments within the road. Surely any attempt to park off the road is a good thing and a garage provides security.

With the long driveways to the front of properties in Weston Way, many properties in our road have already developed the front gardens with garages or offices so this is not a new idea. The proposed garage looks sympathetic in design and I am very excited to see the green eco roof in full bloom. What a great idea this roof is to encourage wildlife and interest to the area

183 Weston Way, Baldock - SUPPORT

I have no objections and think it will help with keeping cars off a busy road. It will not cause me any difficulties and will only add to improvement. I will not even be able to see it from my house. It will be behind hedges so in my opinion will not change the view of the house from the road or my view to the road.

2 Chilvers Bank, Baldock - SUPPORT

I write to support this application for a detached garage/store at this address. I live on an adjacent road to this property.

With the house set back at quite the distance from the busy, main road and the frontage hardstanding neatly hidden by surrounding shrubbery, this structure would not encroach on the aesthetics of the area or neighbouring properties. In my opinion, it would compliment the existing dwelling and build type whilst also making use of the large frontage space.

With the proposal of a new residential development (Knights Court), almost directly behind this property, it's already of great concern the impact this will have on traffic build up and parking along the already congested Western Way. With 3 schools located on this road (Weston Way Pre-school, St Mary's and Knights Templar), the road is already very busy and the residential development will only exasperate this.

The proposed garage/store would enable safer parking for this dwelling and will help to reduce the amount of cars on the road

4.0 Planning Considerations

4.1 Site and Surroundings

4.1.1 181 Weston Way is a mid-terrace dwellinghouse located on Weston Way. The terraced properties have a consistent building line which is set back from the road (approximately 19 metres). There is an existing hedge on the front, the building line creates a largely uniform and spacious appearance to the street scene that contributes positively to the local character of the area.

4.2 Proposal

4.2.1 Planning permission is sought for the erection of a detached garage to the front driveway area along the front boundary.

4.3 Key Issues

4.3.1 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.
- The impact that the proposed development would have on the environment.

Design and Appearance

4.3.2 The objectives of the 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 D2 of the Local Plan is consistent with the NPPF.

- 4.3.3 Policy D2 of the Local Plan states “*planning permission for house extensions will be granted where... the extension is sympathetic to the existing house in height, form, proportions, roof type, window details, materials and the orientation of the main dwelling*”. A detached garage would be needed to reflect similar aspect in regards to being sympathetic to the host dwellinghouse.
- 4.3.4 The garage is proposed to be 5.5 metres long and 4 metres wide located 0.75 m off the shared boundary with the neighbouring property and 1.5 metres from the front boundary located behind an existing hedge. The garage would have a flat roof with a height of 2.67 metres. Materials include a Composite cladding to match existing property and Eco wild garden roof matting.
- 4.3.5 Weston Way is approximately 1.2 km long and has a number of different character areas. Just looking at the eastern side of the road, the northern part of the road comprises of mainly Knights Templar School and then several terrace houses with small front gardens. Passing the junction with Park Drive the houses are a mix of detached, semi-detached two storey dwellings and bungalows. These properties have extremely large front gardens with a depth ranging from approximately 28 – 44 metres. A number of these properties have garages and structures in the front gardens. The section of Weston Way where the application site is, south of the Weston Way Nursery School up until Knights Court, predominantly comprises terrace dwellings with no garages to the front. Beyond Knights Court the character changes again to detached and semi-detached properties with smaller front garden approximately of a depth of 9.5 metres.
- 4.3.6 The host property and its neighbouring properties have a consistent building line which is set back from the road with front gardens with an approximate depth of 19 metres. There is an existing hedge on the front and side boundary, the building line creates a largely uniform and spacious appearance to the street scene that contributes positively to the local character of the area.
- 4.3.7 The proposed garage would be set close to the front boundary and despite the existing hedge, would be visible within the street scene. Given this proximity to the principal boundary of the site together with the uniformity of this section of the street scene, I would consider the development appear incongruous within the streetscene and harmful to the character and appearance of the immediate area. Furthermore, the proposal would set a harmful precedent for garages to the front gardens of other dwellings within the locality.
- 4.3.8 The principal elevation of the dwelling would be obscured. An important attribute to the character of the immediate area is the open front gardens to houses, the soft landscaping within them and the set-back of the houses from the highway. The proposal would diminish the open appearance of the front garden and reduce its contribution to the locality and street scene.
- 4.3.9 Given the above, the proposed development would be unacceptable in this location within the front garden to this dwelling house, which combined with scale and design would result in harm to the character and appearance of the street scene. The proposed development would fail to comply with Policy D2 of the Local plan, Paragraph 130 of the NPPF

Impact on Neighbouring Properties:

- 4.3.10 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 D3 of the Local Plan.
- 4.3.11 I note the concerns raised by No. 179 in regard to the proximity to the hedge and I also note the concerns in regard to light. If Committee Members are minded to approve the proposal I would recommend that any foundations must protect the root system of the existing hedge.
- 4.3.12 Given the distance of the garage from the windows serving No. 179 I consider the garage would not cause an unacceptable loss of light entering this neighbouring dwelling house or appear dominant within the outlook from neighbouring properties. The garage would be set on the party boundary shared with No. 179. I therefore consider the proposal would not result in unacceptable harm to the living conditions of occupiers of neighbouring residential properties.
- 4.3.13 Given the above, it is considered that the proposed development would comply with Policy D3 of the Local Plan.

Highways and Parking:

- 4.3.14 The development would not reduce parking provision on the driveway and would enable a minimum of 2 parking spaces to be provided on the driveway. I would not consider the development as occasioning harm to the operation of the highway.

Environmental Implications:

- 4.3.15 I note the proposed roof is to be constructed with a wild garden roof matting however, the proposed development, by virtue of its limited scale in general terms together with the sustainable location would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Section 14 of the NPPF.

4.4 **Conclusion**

- 4.4.1 It is considered that the proposed detached garage due to its prominent location at the front of the plot would result in harm to the character and appearance of the street scene and host dwelling. The proposed development would therefore fail to comply with Policies D1 and D2 of the North Herts Local Plan 2011-2031 and Section 12 of the NPPF.

Alternative Options

None applicable

Pre-Commencement Conditions

No pre-commencement conditions recommended.

5.0 **Legal Implications**

5.1 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.

6.0 **Recommendation**

6.1 That planning permission be **REFUSED** for the following reason:

1. The proposed development, by reason of its siting within the front garden to this dwelling house, would appear as an incongruous and unacceptably dominating form of development that would be harmful to the character and appearance of the street scene and host dwelling. Furthermore, the development would set a precedent for similar development within the area that would further erode and harm the character of this section of Weston Way. Therefore, the proposed development conflicts with Policies D1 and D2 of the North Hertfordshire Local Plan and Paragraph 130 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.