

<b>ITEM NO:</b>	<u>Location:</u>	<b>8 Sandover Close, Hitchin, SG4 9PY</b>
	<u>Applicant:</u>	<b>Mr N Shergill</b>
	<u>Proposal:</u>	<b>Two storey side extension to create additional 3 bed dwelling and single storey rear and side extension to existing dwelling</b>
	<u>Ref. No:</u>	<b>17/00525/ 1</b>
	<u>Officer:</u>	<b>Kate Poyser</b>

**Date of expiry of statutory period:** 02 May 2017

**Reason for Delay** (if applicable)

Committee cycle. An extension of time has been agreed until 31st May 2017.

**Reason for Referral to Committee** (if applicable)

The application has been called in by Cllr Clark for the following reason: "there are a number of residents who do not agree with the application as they believe it is out of keeping with the area, a view on the face of it I can understand and therefore in the general public interest I wish to call in this application for determination by the Planning Committee so that all aspects of this application can be considered and seen to be considered."

## **1.0 Relevant History**

- 1.1 15/03244/1 Outline planning permission was refused for the sub-division of the plot to create a detached two storey dwelling following the demolition of an existing garage. Two storey rear extension to existing dwelling. for the following reason:

*Notwithstanding the presumption in favour of sustainable development, the proposed new house would have an overbearing effect on and cause a loss of sunlight to the existing 8 Sandover Close and as such would have a significant effect on the living conditions of that property. The proposed outline for a two storey rear extension to 8 Sandover Close would not provide any certainty or sufficient information to demonstrate that this objection would be overcome. The adverse impacts of the development would, therefore, significantly and demonstrably outweigh its benefits, and, as such, would be contrary to North Hertfordshire District Local Plan No. 2 with Alterations, Policy 57 - Residential Guidelines and Standards and the National Planning Policy Framework paragraphs 14 and 17.*

- 1.2 16/02420/1 Planning permission has been granted for a two storey side extension to create an additional 3 bedroom dwelling and single storey rear and side extension to the existing house.

## **2.0 Policies**

- 2.1 **North Hertfordshire District Local Plan No 2 with Alterations**  
 Policy 8 - Development in towns  
 Policy 26 - Housing proposals  
 Policy 55 - Car parking standards

Policy 57 - Residential guidelines and standards

## 2.2 **National Planning Policy Framework**

Core planning principles

6. Delivering a wide choice of high quality homes

7. Requiring good design

## 2.3 **Emerging Local Plan 2011 - 2031** approved by Full Council 11th April and therefore carries some weight.

Policy SP1: Sustainable development in North Hertfordshire

Policy SP2: Settlement hierarchy

SP8: Housing

Policy T2: Parking

Policy D1: Sustainable design

Policy D3: Protecting living conditions

## 2.4 **Supplementary Planning Document**

Vehicular parking at new development

## **3.0 Representations**

3.1 Highway Authority - does not wish to restrict the grant of planning permission.

3.2 Local Residents - Eight letters of objection have been received from the occupiers of 3,5,7,9 and two others in Sandover Close, 43 Uplands Avenue and from the occupier of Bridge Cottage, Lt Wymondly. The objections can be summarised as follows:

- there would be an increase in the number of bedrooms, but no increase in the number of parking spaces;
- overlooking of adjacent neighbours and properties in Uplands Avenue;
- too close to property boundary of 43 Uplands Avenue;
- the introduction of a semi-detached house is not in keeping with the street;
- overbearing effect on neighbouring properties;
- loss of sunlight to 9 Sandover Close;
- large size out of keeping with properties in the street;
- objection to introduction of rooflights in the front elevation.

## **4.0 Planning Considerations**

### 4.1 **Site & Surroundings**

4.1.1 8 Sandover Close is a detached house on a large, roughly triangular-shaped plot at the end of the close. Sandover Close was originally of similar detached houses, most if not all of which have been now extended. Properties in Uplands Avenue are to the rear. Nos. 7 and 9 Sandover Close are either side and the property also shares a small stretch of rear garden boundary with 114 Wymondley Road.

### 4.2 **Proposal**

4.2.1 There is an outstanding planning permission to provide a new dwelling here in the form of a two storey side extension to No.8, following the demolition of the garage and using the existing vehicular access to serve both properties. The scheme also includes an extension to the rear of the existing house. This current application is a variation of that scheme. It proposes a large two storey rear extension to the existing dwelling and shows the proposed dwelling to extend further back into the rear garden. The front elevation would remain the same as approved, save for the introduction of two rooflights to serve a games room in the loft.

4.2.2 The new scheme would add a further 4 metres to the depth of the proposed house and would be 15.7 metres deep at a two storey height. A small single storey side extension is added towards the rear to provide a utility room. The proposed drawings also show a part two storey and part single storey rear extension to the rear of the existing house. The two storey element would be 6.8 metres deep and the single storey element would have a flat roof and extend a further 3 metres to the rear and in a large triangular shape to the side. The new house would share the existing vehicular access with the existing property and would provide tandem parking to the side of the house.

### 4.3 Key Issues

4.3.1 The principle of a new dwelling in this location has already been established in the granting of planning permission for a new dwelling under ref: 16/02420/1. Since then, the policies of the Emerging Local Plan 2011 - 2031 have gained considerable weight since the decision of Full Council to submit the Local Plan to the Secretary of State for examination at the meeting held on 11 April 2017. In the submission Local Plan, Hitchin is listed as a town under Policy SP2, where development is expected to take place. The key planning considerations for this application, therefore, relates to the effect of the development on:

- the living conditions of neighbouring properties;
- the visual amenities of the area;
- highway matters and parking requirements.

#### 4.3.2 Neighbouring Living Conditions

The application site is roughly triangular in shape, being narrow at the front and getting progressively wider towards the rear. It is one of several houses positioned around the turning circle at the end of the close. 7 Sandover Close lies to the south west of the site and occupies a smaller triangular-shaped plot. The two properties are at an angle to each other. No. 7 would be the closest property to the proposed new dwelling. The proposed house would measure 2.7 metre to 3.4 metres from the side boundary of No. 7 and approximately 4.7 metres to 11.4 metres from the side elevation of that property. It would measure 5 metres to the eaves and 7.5 metres to the ridge. It is noted that there is a door and two small windows in the facing side elevation of No. 7. Due to the angle between the two properties and their distance apart, I consider the proposed new dwelling would not have as overbearing effect on 7 Sandover Close.

4.3.3 In the side elevation facing 7 Sandover Close, there would be two windows at first floor level. They would serve a landing and en suite and both are proposed to be obscure glazed. Windows in the rear elevation would not overlook this neighbouring garden. A significant loss of privacy would not, therefore, be caused to the occupiers of 9 Sandover Close. As the proposed dwelling would be north east of No. 7, the development would not cause a significant loss of sunlight to this property either.

4.3.4 No. 9 Sandover Close lies to the north of the application site and is closest to the proposed extensions to the existing house. It has a two storey rear extension and, in the side elevation, there is a window at first floor level and a window and glazed door at ground floor level. The submitted drawings show a two storey rear extension 6.8 metres deep, measuring 5 metres to the eaves and 8 metres to the ridge. The extension would be between 6 metres and 8 metres from the side property boundary with No. 9 is approximately 1 metre to 2 metres from the side boundary, although the proposed extension would be beyond the rear wall of this neighbour. The distance and angle between the proposed extensions and No. 9 are such that I consider it would not have a significant effect upon the sunlight received by this property and would not have an overbearing effect.

4.3.5 The proposed work also includes a large single storey extension. It would form a triangular shape to the side and wrap around to the rear of the two storey extension. It would have a flat roof measuring 3 metres high. It would be approximately 2.5 metres from the side property boundary with No. 9. I consider this extension would not have a significant effect on the living conditions of the neighbouring property either.

4.3.6 The increased depth of the proposed and existing houses would bring the rear elevations closer to the bungalows in Uplands Avenue, which are to the rear of the site. However, these properties are not in a direct back to back relationship with No. 8 and a distance of at least 30 metres would still exist with the nearest property. The proposed rear elevation would be at an angle to 43 Uplands Avenue and the nearest corner would be 12 metres from the rear boundary of that property. I consider the proposed development would not have a significant effect on the living conditions of any property in Uplands Avenue.

#### 4.3.7 Visual Amenities of the Area

The proposed front elevation of the new house would remain unchanged from that previously granted planning permission. The exception to this is for two roof lights. The two storey rear extension to the existing house would not be visible from the street. The narrow frontage of the site would result in the increased depth of the new house having very limited public visibility from Sandover Close. Alterations to the site frontage to accommodate car parking has already been considered under the previous application.

4.3.8 This is a close of modern, detached houses, on varying sized plots that have been extended over time. At present, No. 8 is the smallest house on the largest plot. All other properties have been extended to the side. This plot therefore appears more spacious than is typical for this street. The proposed two storey side extension would be of a very similar form to others in the street. The main difference with this proposal is that it would provide a new dwelling. The proposed parking for the new house would be to the side of the property, and as such this would limit its impact on the street scene. I can see no objections to the effect the development would have on the visual amenities of the area.

#### 4.3.9 Parking and Highway matters

Local residents have raised the concern that the development may exacerbate on street parking in Sandover Close. The existing and proposed new house would both share the existing vehicular access. There are no garages proposed. Two car parking spaces would serve the existing house and are shown in front of the property. Two car parking spaces are shown to the side of the new dwelling in a tandem arrangement, although it would be possible to park a third car here. The current car parking standards would be met. The Highway Authority raise no objections. I can see no sustainable planning objection in relation to parking or highway matters.

### 4.4 **Conclusion**

4.4.1 There are no sustainable planning objections to raise to the proposed development, subject to the conditions listed below.

## **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 **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. **No development shall take place until landscaping details have been submitted to and approved in writing by the Local Planning Authority and the details shall include the following:**
  - a) which, if any, of the existing vegetation is to be removed and which is to be retained
  - b) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting
  - c) the location and type of any new walls, fences or other means of enclosure and any hardscaping proposed
  - d) details of any earthworks proposed.**The landscaping scheme shall be implemented as approved.**

**Reason: To ensure the submitted details are sufficiently comprehensive to enable proper consideration**

4. The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

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

5. None of the trees to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority.

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

6. Before the commencement of any other works on the site, trees to be retained shall be protected by the erection of temporary chestnut paling or chain link fencing of a minimum height of 1.2 metres on a scaffolding framework, located at the appropriate minimum distance from the tree trunk in accordance with Section 4.6 of BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations, unless in any particular case the Local Planning Authority agrees to dispense with this requirement. The fencing shall be maintained intact for the duration of all engineering and building works. No building materials shall be stacked or mixed within 10 metres of

the tree. No fires shall be lit where flames could extend to within 5 metres of the foliage, and no notices shall be attached to trees.

Reason: To prevent damage to or destruction of trees to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality.

7. **Details and/or samples of materials to be used on all external elevations and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site.**

**Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area.**

8. Before the occupation of the proposed new dwelling hereby permitted, the car parking facilities shown on the approved plan shall be marked out and made available, and shall thereafter be kept available solely for the parking of motor vehicles.

Reason: To ensure the provision of satisfactory car parking facilities clear of the public highway to meet the needs of the development.

#### **Proactive Statement**

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.