

<b>ITEM NO:</b>		
	<u>Location:</u>	<b>8 Gun Meadow Avenue Knebworth Hertfordshire SG3 6BS</b>
	<u>Applicant:</u>	<b>Mr Martin Frost</b>
	<u>Proposal:</u>	<b>Insertion of front and rear dormer windows to facilitate loft conversion</b>
	<u>Ref. No:</u>	19/00201/FPH
	<u>Officer:</u>	<b>Heather Lai</b>

**Date of expiry of statutory period:** 25.03.2019

**Reason for Delay**

April committee cancelled; presentation to committee delayed due to further negotiations undertaken.

**Reason for Referral to Committee**

Cllr Nash called this application in (as well as the concurrent application, 19/00151/FPH), in the wider public interest and considers the proposed extensions are out of keeping with the local area.

**1. Policies**

**1.1. District Council Local Plan No. 2 with alterations**

Policy 28: Housing Extensions  
Policy 55: Car Parking Standards  
Policy 57: Residential Guidelines and standards

**1.2. National Planning Policy Framework**

Section 12: Achieving well designed places

**1.3. Emerging Local Plan 2011-2031 (Approved by Full Council 11th April 2017)**

D1: Sustainable Design  
D2: House extensions and replacement dwellings  
D3: Protecting living conditions  
T2: Parking

**1.4. Supplementary Planning Document**

Vehicle Parking at New Development September 2011

**2. Site History**

**18/01317/FPH:** Erection of pre-fabricated annexe for ancillary residential use associated with main dwelling. Approved.

**18/03154/FPH:** Erection of pre-fabricated annexe for ancillary residential use associated with main dwelling. Approved.

**19/00151/FPH:** Single storey side extension following demolition of existing conservatory. To be considered by committee (recommendation approval)

### **3. Representations**

#### **3.1. Statutory Consultees**

**Parish Council:**

No objection to this application.

**Ward Councillors:**

As stated above Cllr Nash called in this application and concurrent 19/00151/FPH, in the wider public interest.

#### **3.2. Neighbour Representations**

9 objections received.

- Fourth application at site; 3 applications put in at separate times, feels like an attempt to distract from the overall level of development
- Is overdevelopment; not much remaining garden space
- Concurrent application proposal (for single storey side extension) not shown on block plan
- Annex does not appear on block plans
- Dormers will overlook windows to surrounding properties including to the other side of Gun Meadow Avenue and to the rear where it will overlook neighbour's garden; dormer windows should be obscure glazed and fixed shut
- No site notice displayed for any of the four applications
- Annex is very visible from surrounding dwellings and has impacted views, it has a bright red roof which is out of keeping with the area. Concerned this development could be the same and will be very dominant and out of keeping with the character of the area.
- Together with annex, dormer and side extension, will appear very dominant to rear boundary, resulting in an increased sense of enclosure to properties to the rear. This is not clearly shown on plans.
- Will result in a loss of outlook (views) from surrounding dwellings
- Out of character with the rest of the street
- Will result in a loss of wildlife including bats
- If the amount of development proposed is necessary, why did the applicants not buy a different property
- Gun Meadow Avenue is a private road, the current development is having an impact on the character of the area in terms of the disruption. Concerned about access and parking arrangements at the site during construction period – Gun Meadow Avenue is a small, private, gravelled road. Also who is responsible for paying to damage done to the road?
- Large annex has already been built, and was not built according to the original permission, concerned these ones will not be either

### **4. Planning Considerations**

#### **4.1. Site and Surroundings**

- 4.1.1. The application site is a mid-20th Century bungalow which is located at the end of a private cul-de-sac. It is unlisted and located outside a conservation area.

#### **4.2. Proposal**

- 4.2.1. The application seeks planning permission for the erection of front and rear dormer roof extensions, and a roof light to both side elevations to facilitate a loft conversion. These

dormers will not project above the existing pitch of the roof, and will sit inside the existing eaves of the roof. The rear dormer and the roof lights would constitute permitted development; it is solely due to the inclusion of the front dormer that the entire proposal requires planning permission. If the applicant chose to split the scheme both the side roof lights and the rear dormer extensions could be constructed immediately without the need for planning permission from the local planning authority. The front dormer would then require planning permission at a later date.

- 4.2.2. Notwithstanding this in a spirit of improving the overall design of the scheme during the course of the application, negotiations were undertaken to amend the design of the rear dormer from a pitched roof dormer (resembling a gable end), to a flat roofed dormer to result in a design more in keeping with the dwelling and the overall proposal. The applicant has also confirmed that this window will be obscure glazed as it is to serve a bathroom.

### 4.3. **Key Issues**

#### 4.4. **Design:**

- 4.4.1. Policy D2 of the emerging Local Plan states that 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...and spacing between buildings ensures there is no harm to the character and appearance of the streetscene.
- 4.4.2. The existing bungalow dwelling has a hipped roof. The proposed dormer windows will sit within the context of the existing roof form, they will not extend above the existing roof pitch, and are set in by approximately 30cm to the front and to the rear. Following amendments, both the front and rear dormers are to be of a flat roof design, set in from the sides, eaves and ridge of the roof and measuring 2.7m in width and 1.65m in height. The materiality of the proposed dormers is to be clay tiles with uPVC windows, which will match the host building.
- 4.4.3. I consider that the proposed scale of the roof extensions, and the detailed design are acceptable as they relate well to the existing roof form and will remain subservient. The rear dormer will be visible only from limited private views, and the roof lights to both sides of the dwelling will have limited visibility owing to their positioning on the roof-slope. Therefore the proposed roof extensions will not cause harm to the character and appearance of the streetscene in my judgement.
- 4.4.4. Furthermore, as stated above, all but the front dormer would constitute development permitted under Class B and C of the General Permitted Development Order (2015, as amended) and could therefore be carried out without requiring planning permission from the local planning authority.
- 4.4.5. I note the objections on the grounds of overdevelopment of the site, including that the annex has recently been granted permission and built, and the size of the garden/plot. The extensions proposed here would not add to the overall spread of development on the plot as they are extensions and alterations to the existing roof of the dwelling. Moreover, given the scale of the proposed loft level alterations, which would largely fall within permitted development, the proposal does not constitute overdevelopment of the site in my view.
- 4.4.6. I have assessed the previously approved annex to the rear garden, and the proposed single storey side extension together with this proposal in relation to its potential cumulative impact on the overall plot. Having carried out this assessment I do consider that the proposed developments (individually and cumulatively) would constitute an overdevelopment of the site either.

- 4.4.7. I note the objections received in response to this planning application regarding the design and planning history to the annex. However, apart from considering the annex in the context of further development, e.g. the overall design and level of development on site, these objections to a development that has planning permission and has been constructed cannot be considered further as part of the current application. The annex has already been considered, and given permission twice and therefore any objections to that are not relevant to the current application(s).
- 4.4.8. In my view the proposal is acceptable in design terms; it is of an appropriate scale and detailed design and does not constitute overdevelopment, individually or cumulatively. In this respect it accords with Policy 28 of the saved Local Plan, and D2 of the emerging Local Plan.

#### 4.5. **Amenity:**

- 4.5.1. The application site is on a private road, and is set back from its front boundary by 4.2m. Owing to the shape of the cul-de-sac, the application site is at a slight angle to the two adjacent dwellings (7 and 9). The closest dwellings to the opposite side of the cul-de-sac are nos. 4 and 5 which are at a distance of 30m from the front elevation of the application site. The proposed front facing dormer will not directly face towards nos. 7 and 9 and will be at a distance of 30m, above the 20m recommended to protect privacy. As such, this front dormer will not result in a material loss of privacy. It is generally accepted that windows which face the front of properties into the public space should not be restricted in terms of obscure glass. Moreover, this window serves a bedroom which would need to have a clear glass window in order to ensure suitable living conditions within the bedroom.
- 4.5.2. The two side roof lights will be to the existing roof pitch and will be on an acute angle and will measure 30mm in length and 25mm in width. Given their small size and relationship to neighbouring dwellings they will not result in a material loss of privacy in my judgement. Roof-lights do not afford significant overlooking opportunities due to their position on the roof slope and height above the internal floor level, so in my view it would be unreasonable to insist that roof-lights should be fitted with obscure glass.
- 4.5.3. The rear dormer will face the rear garden of the host dwelling. There is a distance of 30m from the rear wall of the closest property (The Elms) and the boundary wall between the two dwellings, and a distance of 39m between the rear wall of The Elms and the rear wall of the application dwelling. The rear facing dormer will therefore be more than 40m from The Elms. Rear gardens are not given the same level of privacy protection as dwellings, however the applicants have confirmed that the rear dormer will serve a bathroom and the window will be obscure glazed. Therefore the rear dormer will not result in a material loss of privacy for dwellings to the rear and is acceptable in amenity terms. I however recommend a condition to ensure that this bathroom window is fitted with obscure glass.
- 4.5.4. To conclude I consider the proposal to be acceptable in amenity terms, it will maintain a neighbourly relationship with the closest surrounding dwellings and accords with Policy D3 of the emerging Local Plan.

#### 4.6. **Car parking:**

- 4.6.1. The application is for an extension to an existing dwelling house which has sufficient off street parking at the application site. Policy T2 and Appendix 4 of the emerging Local Plan, as well as the Vehicle Parking SPD require at least 2 off street parking spaces for new residential developments. The application relates to an existing residential dwelling with in excess of 2 spaces therefore the proposal does not trigger the requirement for additional parking.

4.6.2. Gun Meadow Avenue is a private road and therefore any impacts to the road are a private matter, and cannot be considered as part of the planning application. This includes transport and parking arrangements for development works and placement of skips and materials.

#### 4.7. **Wildlife:**

4.7.1. One objector stated that the proposal would result in a loss of wildlife including bats. No evidence to demonstrate the presence of protected species at the site (in the roof-space) has been submitted. However, for the purposes of a loft extension to a domestic dwelling (most of which is permitted development) I would not expect the applicants to submit an ecological survey, and wildlife mitigation measures for a residential extension would not be required.

#### 4.8. **Conclusion**

4.8.1. The relevant planning considerations for this application are design, amenity and vehicle parking arrangements. As demonstrated above, the proposal accords in policy terms on these grounds. The proposal-individually or cumulatively-will not result in overdevelopment of the site. The proposal is acceptable in planning terms and is therefore recommended for approval.

#### 4.9. **Pre-Commencement Conditions**

4.9.1. None required.

### 5. **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. **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. The dormer window at first floor level on the rear elevation of the development hereby permitted shall be permanently glazed with obscure glass.

Reason: To safeguard the privacy of the occupiers of the adjacent dwelling.

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