

ITEM NO:	
<u>Location:</u>	The Cottage Upper Green Ickleford Hitchin Hertfordshire SG5 3YF
<u>Applicant:</u>	Mr R Spicer
<u>Proposal:</u>	Remodel brick garage in rear garden with pitched tiled roof; clad walls with timber ship lapped boards to 3 sides & knapped flint and brick banding to rear garden elevation. Rebuild front garden wall with knapped flint and brick banding (as amended by plan received 08 August 2019)
<u>Ref. No:</u>	19/01093/FPH
<u>Officer:</u>	Andrew Hunter

Date of Expiry of statutory period: 12th July 2019

Reason for delay:

An extension of time has been agreed to allow the application to be reported to Planning Committee.

Reason for referral to Committee:

Cllr North has called in this application in the wider public interest.

1.0 Policies

1.1 North Hertfordshire District Local Plan No. 2 with Alterations (Saved Policies)

- Policy 5 – Excluded villages
- Policy 28 – House extensions
- Policy 57 – Residential Guidelines and Standards

1.2 Emerging Local Plan 2011 – 2031

- Section 2 – Strategic Policies
- SP9: Design and sustainability
- SP13: Historic environment

Section 3 – Development Management Policies

D1: Sustainable design

D2: House extensions, replacement dwellings and outbuildings

D3: Protecting living conditions

HE1: Designated heritage assets

1.3 **National Planning Policy Framework 2019**

Section 12: Achieving well-designed places

Section 16: Conserving and enhancing the historic environment

2.0 **Site History**

2.1 05/00860/1LB - Reduction in size of existing openings and insertion of new windows; addition of roof insulation - all to single storey rear wing – Approved 28/07/05.

2.2 96/00248/1LB - Additional kitchen window – Approved 25/04/96.

2.3 91/00618/1LB - First floor rear extension, involving removal of existing roofs – Approved 03/07/91.

2.4 91/00617/1 - First floor rear extension – Approved 02/07/91.

2.5 86/00085/1 - Outline application (all matters reserved) for erection of one detached house with garage – Refused 10/04/86.

2.6 79/00189/1 - Erection of detached double garage following demolition of existing garage – Approved 09/02/79.

2.7 79/00142/1 - New Garage – Withdrawn 02/02/79.

3.0 **Representations**

3.1 **Neighbours** – The following objections were received from Nos. 6, 3, 2, Rose House Upper Green:

- The garage would be significantly taller than the existing at 5.25m within 3.6m of the boundary. Major impacts on daylight to our garden and house.
- Overbearing because of its close proximity to 1-6 Upper Green. The existing flat roof garage is not noticeable.
- Major invasion of privacy from 3 windows.
- Adversely affect views from our house and garden.
- Opposed to the change of use to storage and a home office.
- Further extension of the buildings on the property is unnecessary.
- Exacerbate loss of light from existing extension to main house.
- Cumulative impacts with other development.
- The design, especially its scale and height, will appear incongruous in the street scene and to the setting of the listed building. Not sympathetic to local character. Prominent and out of place.
- Pressure to convert to a dwelling.
- Not sustainable development.
- Not opposed to the re-construction of the garage, provided it would be no larger than present.

- Not opposed to the front wall.

3.2 Ickleford Parish Council – Objects to the application.

As this site is located in the Conservation Area of Ickleford, we would question whether the proposed design for the garage is in keeping with, and sympathetic to, its setting. Should the garage be allowed to increase to the height proposed in this application, we think it would be both incongruous and alien to the setting of 'The Cottage' which is a small listed building.

Furthermore, we believe that the proposed height of the garage would cause a loss of light to the garden of the neighbouring property at number 6 Upper Green.

3.3 Amended plans were received and neighbours and the Parish Council re-notified on 21st June.

3.4 Neighbour objections following amended plans, received from Nos. 6, 5, 3, 2, Rose House, Upper Green:

- Remain utterly opposed. All points from our previous letter remain. None of the changes are material.
- The aims of the remodelling could be achieved without increasing the height of the garage.
- Almost twice the height of the existing garage.
- Major detrimental impact on views and sunlight.
- Massive feeling of enclosure.
- Loss of privacy from windows.
- No justification.
- Inappropriate, prominent and out of character with its surroundings.
- The roof would extend beyond the boundary line into the adjacent lane.
- The proposal could lead to the original planning request.

3.5 Supporting comments received:

- I can't see any problems, it would not affect light.
- There are many properties greater in height.
- The existing wall and garage are unsightly.
- The design of the wall and garage would complement/improve the existing house and area.
- Previous work by the applicant has been to a high standard.
- Traffic would not be a problem.

3.6 Ickleford Parish Council – Whilst acknowledging the amendments made to above-named planning application, I would like to advise you that Ickleford Parish Council objects to this application.

As this site is located in the Conservation Area of Ickleford, we would still question whether the proposed design for the garage is in keeping with, and sympathetic to, its setting. Should the garage be allowed to increase to the height proposed in this application, we think it would be both incongruous and alien to the setting of 'The Cottage' which is a small listed building.

Furthermore, we believe that the proposed height of the garage would cause a loss of light to the garden of the neighbouring property at number 6 Upper Green.

3.7 Further amendments to the outbuilding were received on 8th August 2019, with neighbours and the Parish Council re-consulted on 9th August and 22nd August.

3.8 **Neighbour objections** following second amended plans, received from Nos. 6, 4, 2, Rose House:

- Remain strongly opposed on similar grounds to those previously stated.
- Severe detrimental impact on sunlight to our rear garden.
- Dominate the view, being in such close proximity to the boundary fence.
- Will exacerbate the feeling of being hemmed in on 3 sides.
- Increase the feeling of the area being built up removing natural light and sight lines for adjacent residents.
- An overhang onto the lane remains which will impede vehicles.

3.9 **Supporting comments** received from Holly Lodge, Upper Green:

- Improvement to the existing garden wall.
- Remodelling of the garage will be an improvement to the existing.
- The pitched roof seems not dissimilar to other garages etc. nearby, and won't have any negative impacts from our perspective.

3.10 **Conservation Officer** - I previously suggest that: i) the roof lights are omitted; ii) the brick and flint detail to the main garden elevation is replaced with timber boarding; and iii) whilst the large cart-style doors are OK, if the room is to be used as an office use it would perhaps be more desirable if the doors were replaced by a single personnel door and pair of quarter pane casements to the side (in place of one of the two gable end pairs) or installing a glazed screen behind the larger cart doors.

The agent has confirmed that the roof covering will be in clay plain tiles (I am still seeking handmade clay tiles) and I note that the barn doors to the side elevation on the drawings have been replaced with a hardwood door and frame with full length side lights and that the rear window has been removed. Furthermore, the barge boards have been removed and a cloaked verge detail introduced.

Front garden wall

The existing front wall has no special interest and its replacement is an acceptable way forward, although flint work is not a common building material in this part of the district (more prevalent to the east of the district), the wall design and height would complement the grade II listed front wall at Ickleford JMI School. Although a simple brick facing wall with half round cappings and tile oversailing course would be preferred or failing that a timber picket fence, I am prepared to support the proposal as currently drawn.

Recommendation

It is considered that the proposal will not harm the setting of The Cottage or harm the character or appearance of the Ickleford Conservation Area. I, therefore, raise **NO OBJECTION** to the amended scheme on the basis that the amended scheme will satisfy the provisions of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the aims of Section 16 of the NPPF and Policy HE1

of the North Hertfordshire Local Plan 2011 - 2031 (Proposed Main Modifications November 2018).

4.0 Planning Considerations

4.1 Site and Surroundings

4.1.1 The site is a two storey detached dwelling with a pitched roof. The rear party boundary with No. 6 Upper Green is comprised of a 1.8m high fence including an upper trellis section. The site is located in an area of residential character comprising terraced and dwellings. The dwelling is a Grade II listed building, and is within a Conservation Area.

4.2 Proposal

4.2.1 Enlargement and alterations to an existing detached garage at the rear of the dwelling to give it a pitched roof, and new timber boarding to its elevations. The works would include alterations to existing openings.

4.2.2 A replacement wall around the front garden of the site, which would be of brick with knapped flint panels.

4.3 Key Issues

4.3.1 The key material considerations are design and heritage impacts, and impacts on neighbour amenity.

Design and heritage

4.3.2 The existing front wall is of more recent construction than the application property, and is considered to be of relatively poor appearance and is low rise. As such, there are no objections to its demolition.

4.3.3 The proposed replacement wall would be approximately 60cm high above ground level, and compares favourably in height to other walls and fences around front boundaries in the locality. The use of knapped flint panels is uncharacteristic of the application property, although the front boundary of Ickleford Primary School features such panels. Impacts on the historic fabric of the listed building would be minor, and it is considered that the proposed wall would be a visual improvement to the existing. Impacts on the character and appearance of the locality and the significance of the Conservation Area would also be limited, with a benefit being the replacement of the existing wall. Furthermore the Council's Conservation Officer does not raise objections to the wall. For the reasons above, the replacement wall is considered to be acceptable.

4.3.4 The existing garage is not considered to be curtilage listed on the basis of its more modern external appearance, and its absence on historic maps from the 1950's to the early 1970's. The existing garage is functional in appearance, has deteriorated externally on some of its elevations (faded/cracked paintwork), and is not considered to be of historic or architectural merit. As such, there are no objections on design and heritage grounds to works to the garage in principle.

- 4.3.5 The altered garage would be larger than the existing, however the roof pitch would be similar to the steeper pitches of the main roof of the dwelling and is not considered unreasonable in height in this respect. The eaves of the garage would remain the same, with the new roof increasing the height of the garage from 2.4m to approximately 4.17m. The proposed timber boarding, and hand made clay tiles similar to those re-claimed from the listed building on the site The Cottage, would be of an acceptable quality and type. Overall I consider that the proposed alterations to the garage would result in a building more sympathetic to the character and setting of the listed building.
- 4.3.6 In the wider area there are double garages at Rose House and Holly Lodge with pitched roofs that are considered to be a similar height to the proposed pitched roof. The proposed roof would also be a similar height to the lower rear projection of the main application property. In this context, and given that the alterations to the garage would be an improvement to its appearance and to the setting and significance of the listed building and Conservation Area, it is considered that the enlargement and alterations to the garage would have acceptable impacts on the character and appearance of the locality.

Neighbour amenity

- 4.3.7 The proposed front wall would be low at 0.6m and would not be considered to harm neighbour amenity due to this and its siting away from the curtilages of the closest dwellings.
- 4.3.8 The works to the proposed garage would potentially be most harmful to the amenity of neighbouring dwellings No. 6 Upper Green to the east which adjoins the application site, and Rose House to the west which is separated from the application site by an access road.
- 4.3.9 Holly Lodge adjoins the application site to the north, however views of the new pitched roof would be substantially softened/obscured by trees at the end of the rear garden of the application site. The pitched roof would be approximately 9m from the curtilage of Holly Lodge and further from the front elevation of that dwelling, and due to the screening from trees the enlarged garage would not appear overbearing or result in loss of light and amenity to Holly Lodge.
- 4.3.10 Rose House is to the west, separated from the application site and existing garage by an access road approximately 3.5m in width. The garage is a further 3.5m from the rear elevation of Rose House, and would be to the north of this elevation. Due to the distance of the existing garage from Rose House and as the ridge of the new roof would be set in from the boundary, it is not considered that the enlarged garage would appear harmfully overbearing or result in loss of light to rooms of Rose House with rear elevation openings.
- 4.3.11 The new garage roof would be more visible from the rear garden of Rose House as it would be higher than the existing, which is presently visible above the east boundary wall of the garden. The garden of Rose House is however relatively large, therefore the new roof would not be visible or prominent from all areas of the garden. The main patio areas of the garden are adjacent to the rear elevation of Rose House and its west boundary with No. 2 Raymond Villas, which are considered to be sufficiently far

from the proposed roof to avoid overbearing impacts. There is a smaller patio area, however this is close to the east boundary wall which would limit visibility and impacts of the proposed roof.

- 4.3.12 The proposed roof would be approximately 3.5m from the rear boundary of Rose House due to an access drive, with the ridge being further away. Due to the location of the garage and the size of the rear garden of Rose House, it is not considered that the proposed roof would appear as a visually dominant addition that would be overbearing and result in loss of amenity. Impacts on the amenity of Rose House are considered acceptable.
- 4.3.13 No. 6 Upper Green shares a party boundary with the application site. The proposed roof would be approximately 14.5m from the rear windows of the main rear elevation of that dwelling and to the north, which is considered a sufficient distance to avoid overbearing impacts and would not result in loss of light to the main dwelling No. 6.
- 4.3.14 The proposed garage roof would be more visible from the rear garden of No. 6. The rear party boundary with the application property is comprised of a 1.8m high fence, of which the upper 20-30cm is a trellis, which results in the existing garage being visible from the rear garden of No. 6.
- 4.3.15 The proposed roof would add 1.77m in height to the garage, which would increase its visibility and prominence. The existing garage is approximately 4m to 3m from the rear garden of No. 6 and tapers towards the party boundary and the end of the rear garden of No. 6.
- 4.3.16 The pitched roof would make the garage more visible from the rear garden of No. 6. It is not however considered that the new roof would be of an unreasonable or excessive size or height for the garage in design terms in relation to the existing garage building, the main host dwelling and in the context of the character of the locality.
- 4.3.17 The pitched roof would affect views from the rear garden of No. 6, however the loss of views are not material planning considerations. The increase in height of the existing garage would not be small, however the roof would slope away from No. 6 and would be set away from the boundary as per the existing garage. The ridge of the proposed roof would be approximately 5.7m to 4.7m from the rear garden of No. 6. Due to the above it is not considered that the proposed pitched roof would result in overbearing visual impacts to the rear garden of No. 6.
- 4.3.18 The pitched roof will result in greater shadowing than the existing garage, however I consider that shadows would primarily fall within the garden of the application site and the adjacent access drive to the west. Overshadowing of the rear garden of No. 6 would be limited to a small area and to late afternoons/evenings due to the western location of the garage, therefore I do not consider harmful overshadowing and loss of light would be caused to the rear garden of No. 6.
- 4.3.19 Objections have also been received from Nos. 5, 4, 3 and 2 Upper Green. While the proposed roof would be visible from the rear gardens of these properties and would alter their views (loss of views is not a material planning consideration), the garage would be at minimum separated from them by the rear garden of No. 6 and would be more oblique and less prominent than it would be from No. 6. The overhang from the

proposed guttering would be similar to that from the existing garage and would not materially affect vehicle sight lines. Therefore I do not consider that the enlarged garage would be harmful to the amenity of Nos. 5, 4, 3 and 2 Upper Green.

4.3.20 For the reasons above it is not considered that harm to the amenity of residential properties would be caused.

4.4 **Alternative Options**

4.4.1 None applicable.

4.5 **Pre-Commencement Conditions**

4.5.1 I can confirm that the applicant is in agreement with the pre-commencement conditions that are proposed.

4.6 **Conclusion**

4.6.1 In the absence of material planning reasons to the contrary it is my view that planning permission is **GRANTED**.

5.0 **Recommendation**

5.1 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 clay tiles for the garage roof shall be hand made and be similar in size and appearance to those of the roof of The Cottage, Upper Green.

Reason: To ensure that special regard is paid to the setting of The Cottage under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. Further details of the type and finish of the timber boarding to the garage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved. The development shall be carried out in accordance with the approved details.

Reason: To ensure that special regard is paid to the setting of The Cottage under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. Section details and confirmation of materials proposed to be used for the pair of quarter-pane casements on the south-facing gable shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that part of the development hereby approved.

Reason: To ensure that special regard is paid to the setting of The Cottage under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Proactive Statement

Planning permission has been granted for this proposal. The Council acted proactively through early engagement with the applicant during the course of the application which led to improvements to the scheme. 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.