

4 August 2009

Ref: Planning 13.08.09  
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To: Councillors: Jane Gray (Chairman), Mrs F.R. Hill (Vice-Chairman),  
D.J. Barnard, David Billing, Clare Body, Paul Clark, J.M. Cunningham,  
Gary Grindal, A.F. Hunter, David Levett, Alan Millard, M.R.M. Muir,  
Michael Paterson, R.L. Shakespeare-Smith and M.E. Weeks.

(Substitutes: Councillors: Liz Beardwell, Simon Bloxham, John Booth,  
S.K. Jarvis, Paul Marment, Deepak Sangha and  
Martin Stears-Handscomb).

You are invited to attend a

**MEETING OF THE PLANNING CONTROL COMMITTEE**  
to be held in the

**COUNCIL CHAMBER, COUNCIL OFFICES, GERONON  
ROAD, LETCHWORTH GARDEN CITY**

on

**THURSDAY, 13 AUGUST 2009, at 7.30p.m.**

Yours sincerely,



David Miley  
Democratic Services Manager

**AGENDA**  
**PART I**

<b>ITEM</b>	<b>PAGE</b>
<b>1. APOLOGIES FOR ABSENCE</b>	-
<b>2. MINUTES</b> To take as read and approve as a true record the Minutes of the meeting of this Committee held on 16 July 2009.	-
<b>3. NOTIFICATION OF OTHER BUSINESS</b> Members should notify the Chairman of other business that they wish to be discussed by the Committee at the end of either Part I or Part II business set out in the agenda. They must state the circumstances that they consider justify the business being considered as a matter of urgency.  The Chairman will decide whether the item(s) raised will be considered.	-
<b>4. CHAIRMAN'S ANNOUNCEMENTS</b> Members are reminded that any declarations of interest in respect of any business set out in the agenda, should be declared as either a prejudicial or personal interest and are required to notify the Chairman of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a prejudicial interest can speak on the item, but must leave the room before the debate and vote.	-
<b>5. PUBLIC PARTICIPATION</b> To receive petitions, comments and questions from the public. At the time of preparing the agenda no requests to speak had been received. Any public participation received within the agreed time scale will be notified to Members as soon as practicable.	-
<b>6. PLANNING APPLICATIONS</b> REPORT OF THE PLANNING CONTROL & CONSERVATION MANAGER	<b>1</b>
<b>6.1 09/01224/1 - CHURCHGATE CENTRE, CHURCHGATE, HITCHIN</b> Removal of existing canopies, provision of new canopies and high level cover to walkway. Alterations to elevations including new bay windows, re-cladding and rendering, new slate roof and gables. Resurfacing of walkway and provision of lighting columns (application to supersede planning permission ref: 08/01599/1 dated 22/10/08)	<b>3</b>
<b>6.2 09/00822/1 - KNEBORTH GOLF CLUB, DEARDS END LANE, KNEBORTH</b> Replacement conservatory extension to clubhouse	<b>19</b>
<b>6.3 09/00823/1LB - KNEBORTH GOLF CLUB, DEARDS END LANE, KNEBORTH</b> Demolition of existing single storey rear extension and replacement conservatory extension to clubhouse	<b>25</b>
<b>6.4 09/01003/1HH - 59 PARK LANE, KNEBORTH</b> Single storey side and rear extension	<b>31</b>
<b>6.5 09/01161/1HH - 46 STEVENAGE ROAD, KNEBORTH</b> Erection of detached garage	<b>35</b>

<b>6.6</b>	<b>09/01281/1HH - 11 STATION WAY, LETCHWORTH GARDEN CITY</b>	<b>41</b>
	Single storey side and rear extensions incorporating single garage following demolition of existing attached garage and existing side extension. Insertion of 2 rooflights into both existing side roof slopes	
<b>6.7</b>	<b>09/01121/1 - 27 HEATHFIELD, ROYSTON</b>	<b>47</b>
	Outline planning permission for two detached dwellings with integral garages (appearance and landscaping reserved matters) following demolition of existing bungalow	
<b>7.</b>	<b>PLANNING APPEALS</b>	<b>73</b>
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	REPORT OF THE PLANNING CONTROL & CONSERVATION MANAGER	

**For the Civic Year 2009-2010, the Planning Control Committee will meet on the following dates:**

**Thursday, 10 September 2009**  
**Thursday, 8 October 2009**  
**Thursday, 12 November 2009**  
**Thursday, 17 December 2009**  
**Monday, 18 January 2010**  
**Thursday, 11 February 2010**  
**Thursday, 11 March 2010**  
**Thursday, 15 April 2010**

**Planning Control Committee  
13 August 2009**

**\*PART 1 – PUBLIC DOCUMENT**

**AGENDA ITEM No.**

**6**

**TITLE OF REPORT: PLANNING APPLICATIONS**

REPORT OF THE PLANNING CONTROL & CONSERVATION MANAGER

**Local Government (Access to Information) Act 1985 and Local Government Act 1972**

In respect of each of the following reports concerning individual applications for planning permission, Listed Building Consent, the whole of the application file shall be regarded as background papers for the purposes of Section 100(d) of the 1972 Act.

**AGENDA INDEX**

<b>ITEM:</b>	<b>REF NO:</b>	<b>LOCATION:DESCRIPTION</b>	<b>CONTACT OFFICER:</b>	<b>PAGE:</b>
1.	09/01224/ 1	Churchgate Centre, Churchgate, Hitchin Removal of existing canopies, provision of new canopies and high level cover to walkway. Alterations to elevations including new bay windows, re-cladding and rendering, new slate roof and gables. Resurfacing of walkway and provision of lighting columns (application to supersede planning permission ref: 08/01599/1 dated 22/10/08)	<b>Tom Rea</b> 01462 474565	<b>3</b>
2.	09/00822/ 1	Knebworth Golf Club, Deards End Lane, Knebworth, SG3 6NL Replacement conservatory extension to clubhouse.	<b>Dudley Brown</b> 01462 474223	<b>19</b>
3.	09/00823/ 1LB	Knebworth Golf Club, Deards End Lane, Knebworth, SG3 6NL Demolition of existing single storey rear extension and replacement conservatory extension to clubhouse.	<b>Dudley Brown</b> 01462 474223	<b>25</b>
4.	09/01003/ 1HH	59 Park Lane, Knebworth, SG3 6PH Single storey side and rear extension.	<b>Dudley Brown</b> 01462 474223	<b>31</b>
5.	09/01161/ 1HH	46 Stevenage Road, Knebworth, SG3 6NN Erection of detached garage. (Amended site layout plan received 24.07.09).	<b>Anne McDonald</b> 01462 474634	<b>35</b>

6.	<b>09/01281/ 1HH</b>	11 Station Way, Letchworth Garden City, SG6 3SF Single storey side and rear extensions incorporating single garage following demolition of existing attached garage and existing side extension. Insertion of 2 rooflights into both existing side roof slopes.	<b>Kirstie Hough</b> 01462 474311	<b>41</b>
7.	<b>09/01121/ 1</b>	27 Heathfield, Royston, SG8 5BN Outline planning permission for two detached dwellings with integral garages (appearance and landscaping reserved matters) following demolition of existing bungalow	<b>Naomi Reynard</b> 01462 474318	<b>47</b>

**ITEM NO: 6.1** Location: **Churchgate Centre, Churchgate, Hitchin**

Applicant: **Mr D Payne**

Proposal: **Removal of existing canopies, provision of new canopies and high level cover to walkway. Alterations to elevations including new bay windows, re-cladding and rendering, new slate roof and gables. Resurfacing of walkway and provision of lighting columns (application to supersede planning permission ref: 08/01599/1 dated 22/10/08)**

Ref.No: **09/01224/ 1**

Officer: **Tom Rea**

**Date of expiry of statutory period :** 21 August 2009

**Reason for Delay** (if applicable)

N/A

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

The application site is owned by the District Council.

### **1.0 Relevant History**

- 1.1 Application ref: 00/00382/1 New shopfronts, windows and external alterations following removal of existing canopies. Resurfacing of existing walkways. Installation of new light columns, approved 30/06/00. Permission expired 30th June 2005.
- 1.2 Application ref: 08/01599/1 Removal of existing canopies, provision of new canopies and high level cover to walkway. Alterations to elevations including new bay windows, re-cladding and rendering, new slate roof and gables. Resurfacing of walkway and provision of lighting columns. (as amended by plans received 26th September 2008), approved 22/10/08 subject to a number of conditions including condition 1 which restricted the permission to an 18 month implementation period as follows:

*The development hereby permitted shall be begun before the expiration of 18 months 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 and to ensure that any refurbishment proposals are undertaken in a timely manner.*

## **2.0 Policies and relevant guidance**

### **2.1 Central Government Guidance**

Planning Policy Statement 1 (PPS 1): 'Delivering Sustainable Development' (February 2005)

Planning Policy Statement 6 (PPS 6): 'Planning for Town Centres' (March 2005)

Planning Policy Guidance Note 15 (PPG 15): 'Planning and the Historic Environment'

### **2.2 East of England Plan (May 2008)**

Policy ENV6: The Historic Environment

### **2.3 North Hertfordshire District Local Plan No. 2 with Alterations**

Policy 16: Areas of Archaeological Significance and other archaeological areas

Policy 42: Shopping

Policy 43: Shopping Areas in Town Centres

### **2.4 Churchgate Development Area Planning Brief Hitchin Town Centre (adopted November 2005)**

**Hitchin Town Centre Strategy Final Version November 2004**

### **2.5 North Hertfordshire District Council Town Centre and Retail Study 2004 & 2006 (Nathaniel Lichfield & Partners)**

## **3.0 Representations**

**3.1 Site Notice/Adjoining Occupiers:** In response to publicity and at the time of writing this report the following comments have been received from Neves & Dyer solicitors, 5 The Finches, 58 Lucas Lane, 86 Chaucer Way, 9 Deacons Way, 52 Hampden Road, and Court Homes Limited:

- Application supported and should be fast-tracked
- Will help local businesses and improve and upgrade the area
- Desirable for Hitchin
- Churchgate needs upgrading
- In the best interests of Hitchin and the Town centre
- Project needs to move forward - been too long in the decision process
- Urge the Council to grant with no time limit

**Hitchin Initiative** Continue to support this application.

**The Hitchin Society** Supports the application in principle

**Keep Hitchin Special** Supports the application

**Hitchin Forum** Support the application. Refurbishment will improve the area making it more attractive to shoppers, shopkeepers and visitors generally. Less disruptive than redevelopment.

**Hitchin Historical Society** On balance supports this scheme and refer to letter of support for previous application (08/01599/1).

**The Churchgate Association:** Comments that the original application was strongly supported by Hitchin Committee, individuals and Churchgate retailers. The application is of considerable value to retailers, markets and other shops. Supports the application.

## **4.0 Planning Considerations**

### **4.1 Site & Surroundings**

- 4.1.1 Churchgate is located on the south side of Market Square linking the square with Hitchin Market and Biggin Lane. It comprises 28 shop units with office space in a part two, part three storey building constructed in 1971.

### **4.2 Proposal**

- 4.2.1 The applicant seeks planning permission for the same development approved under planning permission ref: 08/01599/1 (see above description) but with a longer time period within which to implement the development (3 years from the date of grant of permission) as opposed to the current 18 month time limit (8 months remaining).
- 4.2.2 In support of the application the applicant has included a copy of a communication from Steve Quartermain, Chief Planner at the Department of Communities and Local Government to all Local Planning Authorities advising LPA's to consider granting planning permissions with longer time limits. Reference is also made to a ministerial statement by John Healey in which the Government is promoting greater flexibility for planning permissions.
- 4.2.3 The application is accompanied by an updated Design and Access Statement to take account of the grant of planning permission in October 2008.

### **4.3 Key Issues**

- 4.3.1 As the detail of the proposed scheme is identical to that previously approved the only issue for consideration is whether the proposal to extend the time period within which the scheme can be implemented is acceptable having regard to the reasons why the Local Planning Authority considered it appropriate to limit the previous permission to an 18 month period. A copy of the officers report on the previous application is attached for information as Appendix A.
- 4.3.2 In determining the previous application the Committee accepted the officers recommendation that, in order not to prejudice the Council's medium term aspirations to redevelop the Churchgate Centre together with implementing other environmental enhancements, that an 18 month implementation period was justified. Since that decision the economic climate has deteriorated considerably with the on set of the 'credit crunch' and the restrictions on lending and the consequent negative impact on all sectors of the economy including retailing. The exceptional economic uncertainty has also led the Government to announce measures to accelerate economic recovery by advising Local Planning Authorities to use their discretionary powers to permit planning applications with longer implementation periods together with changes to the way in which permissions can be amended.
- 4.3.3 If the Planning Committee were minded to approve this application at this meeting with a 3 year permission, given that the current permission still has an 8 month period in which to implement the scheme, the effective extension of time is for a further 2 years 4 months. In view of the economic situation and the predicted recovery period it is considered that the extension of time to implement the refurbishment scheme would not undermine the Council's medium term aspirations to redevelop Churchgate. Furthermore, in granting permission the Local Planning Authority would be in step with recent Government advice to extend permissions to assist economic development and also provide a boost of confidence to local retailers, particular those in Churchgate and the immediate locality. Finally, approval of this planning application would be consistent with the Council's

strategic objective of focusing on improving town centres.

#### 4.4 **Conclusion**

- 4.4.1 The proposed application to implement a refurbishment scheme at Churchgate within three years is considered acceptable in planning terms.

#### **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, or with minor modifications of those details which have previously been agreed in writing by the Local Planning Authority as being not materially different from those thereby permitted.

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

3. **Prior to the commencement of works a detailed schedule and samples of all new external materials, to include paint, staining and coloured finishes shall be submitted to and approved in writing by the Local Planning Authority.**

**Reason: To ensure that the appearance of the completed development is carried out in a satisfactory manner.**

4. **Prior to the commencement of the development hereby approved sections of the new windows on the Market Square elevation including details of glazing bars shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

**Reason: To ensure that the appearance of the completed development is carried out in a satisfactory manner.**

5. **Prior to the commencement of the development hereby approved details of all hardsurfaced areas and lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

**Reason: In the interests of the visual amenities of the locality.**

6. **No demolition or development shall take place within the proposed development site until the applicant, or their agents, or their successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to the Local Planning Authority and approved in writing. This condition will only be considered to be discharged when the planning authority have received and approved archaeological reports of all the required archaeological works.**

**Reason: To record/protect the historic environment.**

**Reason for Decision**

The development hereby permitted is considered to be acceptable in terms of design and layout and relationship to the street scene and the visual amenities of the Hitchin Conservation Area. As such the development is considered to be in accordance with the Hitchin Town Centre Strategy 2004, the Churchgate Development Area Planning Brief and the following development plan policies:

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

Policy 16: Areas of Archaeological Significance and other archaeological areas

Policy 42: Shopping

Policy 43: Shopping Areas in Town Centres

<b>ITEM NO: 6.2</b>	<u>Location:</u>	<b>Knebworth Golf Club, Deards End Lane, Knebworth, SG3 6NL</b>
	<u>Applicant:</u>	<b>The Knebworth Golf Club</b>
	<u>Proposal:</u>	<b>Replacement conservatory extension to clubhouse.</b>
	<u>Ref.No:</u>	<b>09/00822/ 1</b>
	<u>Officer:</u>	<b>Dudley Brown</b>

**Date of expiry of statutory period :** 15 September 2009

**Reason for Delay** (if applicable)

N/A

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

Objection from Victorian Society to concurrent Listed Building application.

### **1.0 Relevant History**

- 1.1 Over the past 50 years or so, the clubhouse building has been the subject of several applications for extensions and alterations, the most relevant to the current proposal was the grant of planning permissions in 1965 for a glass conservatory and, in 2006 and last year, for a temporary siting of a marquee providing additional social and dining facilities during the spring and summer months.
- 1.2 Planning and listed building applications for the demolition of the existing conservatory and the erection of a replacement were submitted last December but subsequently withdrawn in order to enable the preparation of a noise report by the applicant.

### **2.0 Policies**

- 2.1 East of England Plan  
Policy SS7: Green Belt
- 2.2 North Hertfordshire District Local Plan No 2 with Alterations  
Policy 2, Green Belt  
Policy 39, Leisure Uses
- 2.3 National Policy Guidance  
PPG 2, Green Belts  
PPG 15, Planning and the Historic Environment

### **3.0 Representations**

- 3.1 Knebworth Parish Council - No objections
- 3.2 Hertfordshire County Highway Authority - does not wish to restrict the grant of planning permission.
- 3.3 Head of Housing and Environmental Health - Having considered the Environmental Noise Assessment submitted with the application, it is recommended that

conditions be imposed on any permission granted in order to minimise the potential for noise disturbance on local residents.

- 3.4 Statutory publicity (Notice posted on the site and published in local newspaper) - No representations received.
- 3.5 The occupiers of 4 nearby residential properties have been individually notified of the application - No representations have been received.
- 3.6 The Lutyens Society - considers the proposed extension, perpetuating and worsening the situation created by the existing conservatory, would be totally unacceptable and impose itself as a sprawling box across the Lutyens' facade. Draws attention to the requirements of the planning legislation relating to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, as well as preserving or enhancing the character and appearance of the Conservation Area. Also refers to the government guidance contained in PPGs 2 and 15 relating to development in the green belt and affecting the historic environment. Concludes that the proposal would be contrary to the provisions of the legislation as well as to the relevant policy objectives and, therefore, urges the Council to refuse the application.

#### **4.0 Planning Considerations**

##### **4.1 Site & Surroundings**

- 4.1.1 Knebworth Golf Club is located on the northern outskirts of the village with access from Deards End Lane. The original clubhouse was purpose designed by the eminent architect Sir Edwin Lutyens and dates from the early 1900s. It has been significantly extended and altered over the years but not always in total sympathy. It is included as Grade II on the Statutory List of Buildings of Special Architectural or Historic Interest and, though substantially visually screened from close inter-linkage with the houses in Deards End Lane, the building is nevertheless a key component of the character, appearance and layout of the Conservation Area which covers this part of Knebworth. It stands on a high point overlooking the golf course, which extends to the north towards Stevenage, and is within the Green Belt.

##### **4.2 Proposal**

- 4.2.1 Permission is being sought for the erection of a conservatory extension on the north side of the clubhouse following the removal of the existing, smaller one, granted permission in 1965. The walls would be frameless glazed panels and the solid flat roof would have a low profile lantern in the link section to the existing building. The proposed structure would extend across and in front of a significant part of the rear facade of the existing brick clubhouse and have a floor area of around 137 square metres. The existing conservatory has a floor area of approximately 52 square metres and the net increase in floorspace is, therefore, in the region of 85 square metres. The additional accommodation would increase the lounge area which the temporary marquee presently provides during 6 months of the year. However, the present permission for the marquee expires at the end of October when it is required to be removed.

##### **4.3 Key Issues**

- 4.3.1 The key issues in the consideration of this planning application are, in my view, the appropriateness of the proposed extension in this green belt location, the effect that the use of the increased floor area would likely have on the amenities of local residents and the impact that a structure of the proposed size and design would have on the setting of the listed clubhouse building and the Deards End Lane Conservation Area.

- 4.3.2 In the green belt there is a general presumption, other than in very special circumstances, against inappropriate development. This is defined as development which would be harmful to the green belt. Policy 2 of the District Local Plan aims to keep uses of land, in the green belt, open in character and provides that planning permission will only be granted for, amongst other things, extension of buildings which are appropriate and which do not result in significant visual impact. Moreover, the national policy guidance contained in PPG2 provides that essential facilities for outdoor sport and recreation which preserve the openness of the green belt need not be regarded as inappropriate. On the basis of the submitted details, the erection of the proposed conservatory, as replacement of the existing one and the temporary marquee, would not, in my opinion, conflict with the objectives of the green belt.
- 4.3.3 The previous planning application for a conservatory extension, submitted in December last year (referred to paragraph 1.2 above), attracted objections from a nearby resident. These included concerns relating to the potential for increased noise emanating from the enlarged clubhouse and from persons leaving the premises late at night. As a consequence of this and comments made by the Council's Environmental Protection Team, the applicant decided to withdraw the applications so that a specialist consultant could be employed to undertake an environmental noise assessment for consideration as part of a re-submission. The current planning application is supported by such a report which has been considered by the Environmental Protection Team. Their conclusion is that, in the event of it being decided to grant planning permission, conditions should be imposed to control noise from music such that the level does not exceed that which would likely result in disturbance to residents. Noise arising from people and traffic using the car park is more difficult control but a condition requiring appropriately worded signs to be displayed could help.
- 4.3.4 The considerations relating to the anticipated impact that the proposed conservatory would have on the existing clubhouse, as a listed building, and its setting are set out in the companion report on the agenda relating to the application for listed building consent. From that, it can be seen my conclusion on this aspect is that the proposal would preserve the setting of the building and, in addition, would preserve the character and appearance of the Conservation Area within which the clubhouse is located. Furthermore, in coming to this view, I have had regard to the representations and objections made by the Victorian Society and The Lutyens Trust as well as to the general duty imposed under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of the determination of applications affecting listed buildings and conservation areas.

#### 4.4 **Conclusion**

- 4.4.1 For the reasons discussed above, I do not consider that the proposal constitutes 'inappropriate development' in the green belt nor do I feel that it is unacceptable insofar as the impact on the listed building and conservation area are concerned. The clubhouse and associated car park is in relatively close proximity to residential property in Deards End Lane and there is potential for noise disturbance arising from the use of the enlarged lounge area provided by the proposed conservatory. However, in the light of the specialist advice received, I concur that it would be appropriate to include appropriately worded conditions on any planning permission granted to safeguard the local residents amenity.

## **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, or with minor modifications of those details which have previously been agreed in writing by the Local Planning Authority as being not materially different from those thereby permitted.

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

3. No music shall be played or relayed in the conservatory lounge area, hereby granted permission, until an environmental control device, which has the capabilities of controlling/limiting noise at low frequencies i.e. 63 Hertz to 125 Hertz, has been installed in the premises. The device shall be calibrated and set at a level agreed, in writing, by the Local Planning Authority prior to any music first being played in the conservatory area. The device shall be set at an appropriate time in the presence of a representative of the Local Planning Authority. Thereafter, the device shall be secured with robust lockable security boxes or similar to prevent unauthorised access to and tampering with the controls, be maintained at the agreed settings/levels and all noise equipment shall be routed through the device which shall be used at all times when music is being played in the conservatory lounge area.

Reason: In order to minimise the potential for noise disturbance to local residents.

4. All external doors and windows to the conservatory, hereby granted permission, shall remain closed whilst music or regulated entertainment is taking place, except in the case of an emergency. Alternatively, if the external doors or windows are to be opened whilst music is being played, contacts must be installed on all openable windows and doors which are connected to the environmental noise control device so that when they are opened the noise levels are reduced/cut off. These levels shall have been previously agreed, in writing, by the Local Planning Authority.

Reason: In order to minimise the potential for noise disturbance to local residents.

5. Prior to the conservatory, hereby granted permission, being first brought into use, clearly visible signs shall be placed prominently at all exits of the clubhouse requesting patrons to leave quickly and quietly.

Reason: In order to minimise the potential for noise disturbance to local residents.

### **Reason for Decision**

The proposed conservatory, hereby granted permission, would respect the character,  
**PLANNING CONTROL (13.8.09)**

appearance and setting of the listed building and, as a consequence of this, would also preserve the character and appearance of the Deards End Lane Conservation Area. As such, the proposals pay regard to the provisions of Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national policy guidance contained in PPG 15, Planning and the Historic Environment and PPG 2, Green Belts. Moreover, the proposal complies with the relevant provisions of the Development Plan as summarised below:-

**East of England Plan**

Policy SS7: Green Belt

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

Policy 2, Green Belt

Policy 39, Leisure Uses

<b>ITEM NO: 6.3</b>	<u>Location:</u>	<b>Knebworth Golf Club, Deards End Lane, Knebworth, SG3 6NL</b>
	<u>Applicant:</u>	<b>The Knebworth Golf Club Ltd</b>
	<u>Proposal:</u>	<b>Demolition of existing single storey rear extension and replacement conservatory extension to clubhouse.</b>
	<u>Ref.No:</u>	<b>09/00823/ 1LB</b>
	<u>Officer:</u>	<b>Dudley Brown</b>

**Date of expiry of statutory period : 11 August 2009**

**Reason for Delay** (if applicable)

N/A

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

Objection from Victorian Society

### **1.0 Relevant History**

- 1.1 Over the past 50 years or so, the clubhouse building has been the subject of several applications for extensions and alterations, the most relevant to the current proposal was the grant of planning permissions in 1965 for a glass conservatory and, in 2006 and last year, for the temporary siting of a marquee providing additional social and dining facilities during the spring and summer months.
- 1.2 Listed building and planning applications for the demolition of the existing conservatory and the erection of a replacement were submitted last December but subsequently withdrawn in order to enable the preparation of a noise report by the applicant.

### **2.0 Policies**

- 2.1 National Policy Guidance  
PPG 15, Planning and the Historic Environment

### **3.0 Representations**

- 3.1 Knebworth Parish Council - No objections
- 3.2 National Amenity bodies consulted - Representations received from the Victorian Society objecting to the proposal which it is considered would detract from a handsome building by one of the finest Arts and Crafts architects. Would encourage the golf club to restore the original design of this listed building, which has suffered some insensitive additions in the past, by considering alternative options based on the existing layout and significance of the building. Considers the existing conservatory incongruous with the style and design of the original Lutyens' building and its proposed replacement would, in effect, be a much larger and more obtrusive version of the existing. Strongly recommends that the application be refused.
- 3.3 The Lutyens Trust - considers the proposed extension, perpetuating and worsening

the situation created by the existing conservatory, would be totally unacceptable and impose itself as a sprawling box across the Lutyens' facade. Draws attention to the requirements of the planning legislation relating to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, as well as preserving or enhancing the character and appearance of the Conservation Area. Also, refers to the government guidance contained PPG 15. Concludes that the proposal would be contrary to the provisions of the legislation as well as to the relevant policy objectives and, therefore, urges the Council to refuse the application.

- 3.4 Statutory publicity (Notice posted on site and published in local newspaper) - No representations received.

#### **4.0 Planning Considerations**

##### **4.1 Site & Surroundings**

- 4.1.1 The original clubhouse was purpose designed by the eminent architect Sir Edwin Lutyens and dates from the early 1900s. It has been significantly extended and altered over the years but not always in total sympathy. It is included as Grade II on the Statutory List of Buildings of Special Architectural or Historic Interest and, though substantially visually screened from close inter-linkage with the houses in Deards End Lane, the building is nevertheless a key component of the character, appearance and layout of the Conservation Area which covers this part of Knebworth. It stands on a high point overlooking the golf course which extends to the north towards Stevenage.

##### **4.2 Proposal**

- 4.2.1 The application seeks listed building consent for the demolition of the existing conservatory, granted planning permission in 1965, and for the erection of a larger replacement across a significant part of the rear facade. The walls would be frameless glazed panels and the solid flat roof would have a low profile lantern in the link section to the existing building. The proposed structure would have a floor area of around 137 square metres. The existing conservatory has a floor area of approximately 52 square metres and the net increase in floorspace is, therefore, in the region of 85 square metres. The additional accommodation would increase the lounge area which the temporary marquee presently provides during 6 months of the year. However, the present permission for the marquee expires at the end of October when it is required to be removed.

##### **4.3 Key Issues**

- 4.3.1 I consider the key issue in this case is the impact of the proposed extension on the listed building and its setting. In assessing this application, I have had regard to the specialist advice provided by the Council's Principal Conservation Officer and have also taken in to account the representations received, in particular from the Victorian Society and The Lutyens Trust. The following section of this report is structured to set out my views on the proposal and then to comment on the representations insofar as they relate to the listed building aspects.
- 4.3.2 Central government advice contained in PPG 15 identifies continuing the original use as generally the best option for protecting the character of listed buildings. As a purpose built golf clubhouse, designed to relate closely to the course itself, the continuation of the present use is a critical consideration for this building. From discussions which have taken place with representatives of the golf club, it is understood that the desire is to improve the accommodation and facilities for members and visitors rather than increase capacity and numbers. At present, temporary additional floorspace has been provided during part of the year by a marquee. However, whilst permission was granted for this as an interim measure in

2006 nevertheless, the period for its retention expires, as mentioned above, at the end of October this year.

4.3.3 With regard to the proposed removal of the existing conservatory, I can see no objection whatsoever. Moreover, in my opinion, the proposed extension respects the architectural character and appearance of the listed building and would not affect the physical fabric of the present building. In theory, it could subsequently be removed and the original form of the building reinstated. As a virtually fully glazed structure, the extension would allow the whole of the rear elevation, and hence the architectural appearance of the original building, to be expressed and clearly viewed from its main aspect from the golf course. It is considered that it respects the original concept of the building's architectural symmetry and, being shorter in width, the character of the added side pavilions remains and the windows would continue to be expressed. It is felt that the longer proposed structure shows better respect for the overall horizontality of the building than the present conservatory.

4.3.4 Turning now to the representations which raise objections to the proposal, these seem to be based on a view that the nature of the proposed extension would, as a matter of principle, harm the listed building. There is no dispute about the architectural importance of Sir Edwin Lutyens' work and the clubhouse is an interesting example. However, the building has not retained its original form as designed by Lutyens and has been altered and extended over the past 100 years in a somewhat piecemeal manner. The main extensions may be to either side but they have still much diluted the original design and other works have also affected the fabric. The existing conservatory may be located between the side pavilions but it has given rise to the loss of a section of the rear wall of the building. The importance of trying to retain the clubhouse as a listed building is acknowledged but, it is felt, one must also acknowledge that it is not now an intact historic building. With regard to visibility of the rear of the building, it is accepted that in certain lights the glass walling would be reflective but this would not, I believe, always be the case. In addition, objections have also been raised, as a matter of principle, to using modern design and materials to extend the historic building. However, there is no national guidance which indicates that new work should automatically copy the design of the host building. In fact, it is a consideration that pastiche extensions can dilute the character, quality and integrity of the original building design. There is an argument then for accepting a different design so as to differentiate new from old and to introduce a light, modern addition which will retain the separate integrity of the earlier building. In my view, this would be the result of the current proposal for, unlike all previous extensions to the clubhouse, this has been designed to respect and retain all of the fabric and form of the original building and could, at a later date, be removed without harm to the building. These are issues which are important in current conservation thinking and, by using glass, I feel confident that the rear elevation of the building would remain reasonably visible and open to view.

#### 4.4 **Conclusion**

4.4.1 In an ideal world, one might not wish to see this building extended further. However, it is important to bear in mind the desirability of seeking to maintain buildings in their original use as advocated in PPG 15. There is, therefore, an important issue of the continued viability and practicability of the club house which was designed for its specific use and is integral with the golf course. The use and integrity of the clubhouse is an intrinsic part of the character of the listed building and of the Deards End Conservation Area. I conclude that the proposed manner of extending the building would protect the use in a way that will retain the fabric and original form of the building with a visually lightweight and reversible extension.

4.4.2 As a consequence, I do not object to this application for listed building consent for the demolition of the existing conservatory or for its replacement since the size, appearance, position and materials of the proposed extension would, in my opinion,

respect the character and appearance of the listed building and, as such, would not conflict with the provisions of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It could be that some limited etching or something similar to identify the glass walls for safety purposes would be required and, if so, then I would recommend that a condition be imposed on any consent granted requiring the prior approval of such marking.

## **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 Listed Building consent be **GRANTED** subject to the following conditions:

1. The work to which this consent relates shall be begun by not later than the expiration of the period of 3 years from the date of this notice.

Reason: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Before any works of construction commence on the conservatory extension, hereby granted consent, details of any etching or other marking required to identify the glass walling shall be submitted to and be approved by the Local Planning Authority in writing.

Reason: To ensure that the completed extension has a satisfactory appearance and respects the architectural character of the listed building.

### **Reason for Decision**

The proposed demolition of the existing addition and its replacement by the conservatory, hereby granted consent, would respect the character, appearance and setting of the listed building and, as a consequence of this, would also preserve the character and appearance of the Deards End Lane Conservation Area. As such, the proposals pay regard to the provisions of Section 16 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national policy guidance contained in PPG 15, Planning and the Historic Environment.

**ITEM NO: 6.4** Location: **59 Park Lane, Knebworth, SG3 6PH**

Applicant: **Mr T Smart**

Proposal: **Single storey side and rear extension.**

Ref.No: **09/01003/ 1HH**

Officer: **Dudley Brown**

**Date of expiry of statutory period : 07 August 2009**

**Reason for Delay**

Committee cycle.

**Reason for Referral to Committee**

Objection from Knebworth Parish Council

**1.0 Relevant History**

- 1.1 In 2006, permission was refused for the erection of a replacement garage/workshop, rear conservatory and front porch.
- 1.2 A subsequent application for similar, but amended, proposals was granted permission in March 2007.
- 1.3 An application for a two and single storey side extension was refused permission in July 2008.
- 1.4 A revised application for just a single storey side and rear extension was withdrawn in January this year in the light of unfavourable officer comments.

**2.0 Policies**

- 2.1 North Hertfordshire District Local Plan No 2 with Alterations  
Policy 28, House Extensions.  
Policy 57, Residential Guidelines and Standards
- 2.2 National Policy Guidance  
PPG 15, Planning and the Historic Environment

**3.0 Representations**

- 3.1 Knebworth Parish Council - consider that "The proposed extension is out of character with the Arts and Crafts cottage and the Council therefore objects to this application."
- 3.2 The occupiers of 5 adjacent properties have been notified of the application - No representations have been received.
- 3.3 Statutory Conservation Area publicity - No representations received.

## **4.0 Planning Considerations**

### **4.1 Site & Surroundings**

4.1.1 The detached, two storey house the subject of this application comprises, together with the adjacent property to the west, part of a small, attractive grouping of Art and Crafts buildings situated on the south side of Park Lane, between its junctions with Deards End Lane and Gypsy Lane, on the western edge of the main built-up part of the village. There are other similar sized detached houses either side with semi-detached housing on the 1970's estate to the rear. On the opposite of Park Lane is meadowland. The application site is within the Deards End Lane Conservation Area

### **4.2 Proposal**

4.2.1 The proposal is to erect a single storey 'wrap-around' extension on the east side and rear (south) elevations to provide an enlarged kitchen/ breakfast room and an office. The design incorporates a flat roof behind a parapet with white painted rendered walls to match those of the present house. The elevations facing onto the rear garden include screen windows and, on the east facing wall, there are two high level windows and a full length window which would serve the office accommodation. The latter has an entrance door on the north elevation. In addition, a rooflight window is shown above the extended kitchen/breakfast room area. The extension itself would have an 'L' shaped plan area of approximately 8.5 metres by 8.2 metres. The overall height would be, according to measurement from the submitted drawings, about 3 metres from ground level to the top of the parapet.

### **4.3 Key Issues**

4.3.1 The key issues in the consideration of this proposed extension is the impact that it would have on the amenity of neighbouring residential properties and whether or not it would preserve or enhance the character or appearance of the Deards End Lane Conservation Area. By virtue of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is necessary to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

4.3.2 On the first issue, the relatively modest size and single storey height of the proposed extension would limit the impact on neighbouring properties. It would be a minimum of 3 metres from the common side boundary with the property to the east and the houses to the south (rear) are some distance away and trees/high hedging along the rear boundary provide good screening in any event. Whilst part of the extension would be visible from the neighbouring house to the west nevertheless its impact on that property would be minimal.

4.3.3 The single storey design of the current proposal, incorporating a flat roof, would not, I consider, adversely affect the form of the host building. Moreover, the extension would not be, particularly, prominent in public views. The fenestration in part matches the host building as well as introducing a modern design in the viewing screen on the rear elevation which I do not consider would result in an unsympathetic appearance in terms of relationship to the present house. As a consequence, I am of the opinion that the impact of the proposed extension on the Conservation Area would be minimal.

### **4.4 Conclusion**

4.4.1 Having regard to the above considerations, I conclude that the proposal would not have an adverse effect on the amenities presently enjoyed by the occupiers of any adjoining property and nor would it harm the character or appearance of the Deards End Lane Conservation Area. As such, it would not conflict with the provisions of

Policies 28 and 57 of the District Local Plan and, moreover, would comply with the provisions of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. I have noted the comments made by the Parish Council but, in my view, there are no grounds to sustain a refusal of planning permission based on the stated objection.

## **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, or with minor modifications of those details which have previously been agreed in writing by the Local Planning Authority as being not materially different from those thereby permitted.

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

### **Reason for Decision**

The proposed extension, hereby permitted, would have no adverse effect on the residential amenities of the neighbouring properties or on the character or appearance of the Deards End Lane Conservation Area and, as such, complies with the relevant provisions of the Development Plan as summarised below:

Summary of Development Plan Policies and Proposals relevant to the Decision:-

#### **North Hertfordshire District Local Plan No 2 with Alterations**

Policy 28, House Extensions.

Policy 57, Residential Guidelines and Standards.

#### **National Policy Guidance**

PPG 15, Planning and the Historic Environment

<b>ITEM NO: 6.5</b>	<u>Location:</u>	<b>46 Stevenage Road, Knebworth, SG3 6NN</b>
	<u>Applicant:</u>	<b>Mr S Woods</b>
	<u>Proposal:</u>	<b>Erection of detached garage. (Amended site layout plan received 24.07.09).</b>
	<u>Ref.No:</u>	<b>09/01161/ 1HH</b>
	<u>Officer:</u>	<b>Anne McDonald</b>

**Date of expiry of statutory period :** 14 August 2009

**Reason for Referral to Committee**

The Parish Council object to the application contrary to Officer recommendation.

**1.0 Relevant History**

- 1.1 Several permissions have been granted for extensions to the house, including application 05/01366/1HH, which granted planning permission for extensions to the house and for a detached single garage with single car port in the front garden, immediately rear of the front boundary, set into the corner adjacent to no.44.

**2.0 Policies**

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

***Policy 28 - House Extensions***

***For house extensions, the Council will normally only permit development proposals if:***

- (i) the extension is sympathetic to the existing house in height, form, proportions, window details and materials; and***
- (ii) pitched roofs are used where appropriate, particularly if the extension is more than the height of a single storey.***

***Rear extensions should not dominate adjoining property and should be well related to the levels of adjoining properties, the direction the house faces, and the distance between the extension and the windows in the next door properties. For extensions less than 3 metres from the rear main wall of the existing house, the Council will normally permit development.***

***Side extensions adjoining a residential plot to the side will normally be refused if, at first-floor level or above, less than 1 metre from the boundary.***

***The Council will normally refuse proposals for extensions which would result in a deficiency, or worsen an existing deficiency, of off-street car parking spaces based upon standards in Policy 55.***

- 2.2 Residential Guidelines and Standards  
**North Hertfordshire District Local Plan No.2 with Alterations**

***Policy 57 - Residential Guidelines and Standards***

***The Council expects that all proposals for residential development including extensions and changes of use will meet the objectives of the guidelines***

### **3.0 Representations**

- 3.1
- Knebworth Parish Council - objects to the application. The Parish Council considers that the garage in front of the building line would have a negative impact on the street scene and would set an unwelcome precedent for further front garages in this part of Stevenage Road.
  - One response has been received from no.48. This objects on the basis that it would ruin the view from no.48, the proposed materials are not in keeping with the houses and a cherry tree would be adversely affected.

### **4.0 Planning Considerations**

#### **4.1 Site & Surroundings**

- 4.1.1 No.46 is a good sized, detached, two storey property, set on the north-eastern side of Stevenage Road. Along this section of the road, all the houses are set well back with long front gardens. In addition, there is a large amenity green between the road and the front boundaries of the houses. This results in no.46 being set back in total some 26m from the road, with a distance of 10m between the edge of the carriageway and the front boundary. Therefore, the road has a very spacious setting, and is an attractive and mature street scene with many mature trees and hedges within the frontages.

#### **4.2 Proposal**

- 4.2.1 The application is seeking full planning permission for a detached garage to be erected in the front garden. The garage is set 2.5m back behind the front boundary, and is to have its rear elevation backing on to the side boundary with the footpath between nos. 46 and 44. The proposed garage is 6m wide, including a 1.2m wide covered veranda area on the side facing no.46 itself, and 4.35m tall. The proposed materials are timber weather-boarding and a clay tile roof.

#### **4.3 Key Issues**

- 4.3.1 On the front boundary there is existing hedge and tree, which gives a good amount of screening to the front garden from the road. The hedge is actually on the same level as the road, and then there is a bank rear of the hedge, down to the front garden level which is approximately 1m lower. The proposed garage is to be set behind the front boundary by 2.5m and will not adversely affect any of the existing screening on the frontage. It is considered that the 2.5m set back from the front boundary, combined with the lower ground level of the frontage and the existing screening on the boundary, will mean that whilst the upper part of the garage will be visible from in views from the road, overall it will be fairly well screened and it will not have an adverse impact on the setting or appearance of the road. In addition, due to the section of green in the street scene between the front boundary and the carriageway, the garage will be set some 12.5m back from the carriageway, and it is not considered that it will appear visually over dominating or over bearing in views from the road.
- 4.3.2 The proposed external material for the walls is timber weather-boarding. This is considered to be acceptable as it will blend in with the hedge on the front boundary, and will be less visually dominating than a brick structure. A condition is recommended to agree the colour stain for the garage.
- 4.3.3 It is not considered that there would be any adverse impact on the amenities of the two neighbouring properties. The garage is to be set away from no.48 and there are some existing trees on the side boundary between these two properties which will protect views. Furthermore, whilst the garage is to be set against the fence on the side of the garden adjacent to no.44, there is a footpath running between nos.

44 and 46 creating a gap between these two houses, so the garage will not appear a dominating structure from the frontage of no.44.

4.3.4 In this instance, due to the boundary treatment on the frontage, the set back off the frontage and the footpath existing between nos. 46 and 44, a detached garage is considered to be acceptable. Whilst it will be visible in views from the road, it is not considered that it will have adverse visual impact in the locality by way of appearing over dominating or over bearing. It is noted that there is concern that this application may result in the setting of a precedent for further front garages along this section of the road. Any future applications will be assessed on their individual merits.

4.3.5 Finally, application 05/01366/1HH has already granted planning permission for a single garage with a car port attached in this position in the frontage. The proposed garage is not significantly taller or larger to warrant a justification of refusal in this instance.

#### 4.4 **Conclusion**

4.4.1 The proposed garage is considered to be acceptable and is recommended for conditional planning permission.

### **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, or with minor modifications of those details which have previously been agreed in writing by the Local Planning Authority as being not materially different from those thereby permitted.

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

3. **Details and/or samples of materials, including the colour of the wood stain, 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. The approved materials 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.**

**Reason for Decision**

The detached garage, hereby approved, will not have adverse harm on the character of the locality, the setting of the street scene or the amenities of the neighbouring occupiers and is therefore considered to comply with the provisions of Policies 28 and 57 of the North Hertfordshire District Local Plan no.2 with Alterations 1996.

**ITEM NO: 6.6** Location: **11 Station Way, Letchworth Garden City, SG6 3SF**

Applicant: **Mr D Sangha**

Proposal: **Single storey side and rear extensions incorporating single garage following demolition of existing attached garage and existing side extension. Insertion of 2 rooflights into both existing side roof slopes.**

Ref.No: **09/01281/ 1HH**

Officer: **Kirstie Hough**

**Date of expiry of statutory period :** 31 August 2009

**Reason for Delay** (if applicable)

None

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

Councillor application

### **1.0 Relevant History**

- 1.1 Application for a two storey rear extension, single storey extensions to east and west elevations incorporating single garage following demolition of existing attached garage and existing side extension, the insertion of 4 roof lights into both existing side roof slopes WITHDRAWN on 05/03/09

### **2.0 Policies**

- 2.1 North Herts District Local Plan No 2 with Alterations  
Policy 28 - House Extensions  
Policy 58 – Letchworth Garden City Design Principles

### **3.0 Representations**

- 3.1 **Local Residents** – No comments received at time of writing report

### **4.0 Planning Considerations**

#### **4.1 Site & Surroundings**

- 4.1.1 No. 11 Station Way is a pitched roof bungalow style detached dwelling- house adjacent to no. 13 to the east, with nos. 9 and 11 Station Way located to the west. The property has an approximately 20m long south-easterly facing rear garden, which abuts the flank boundaries of no. 12 Spring Road and no. 63 Broadwater Dale. The property has a flat roofed side addition on each side set at the frontage of the property, with one addition being used as a garage.

## 4.2 **Proposal**

- 4.2.1 Permission is sought for single storey side and rear extensions incorporating a single garage, following demolition of existing attached garage and existing side extension and the insertion of 2 rooflights into each of the flank roof slopes.
- 4.2.2 The garage would be set further back than existing (10m from the front of the property), and would be 5.8m long by 2.7m wide. This would feature a false hipped roof at 3.5m high and would accommodate a pedestrian door in the flank elevation. This would be set adjacent to the rear addition.
- 4.2.3 The other side addition would be set back 6.6m from the front of the property and would have a width of 2m. This would project back for a distance of 7.2m and be set adjacent to the rear addition. This would feature a hipped roof at 3.6m high with roof windows set centrally towards the front of the addition.
- 4.2.4 The rear addition would project 3.66m from the rear of the property and be set in between the two side additions. This would also feature a hipped roof at 3.6m high and would accommodate two windows, a single door and sliding doors on the rear elevation.
- 4.2.5 The four rooflights would be set close to the ridge.
- 4.2.6 As part of the overall development, the internal roof area would be utilized for additional accommodation and would accommodate three bedrooms, a bathroom and an en-suite.
- 4.2.7 Materials would be render and plain tiles to match the existing dwelling.

## 4.3 **Key Issues**

- 4.3.1 The key issues in this application, are whether the proposed additions would have any material impact upon any adjacent properties, character of the host property or character of the area.
- 4.3.2 The proposed side additions would replace those existing, but would be set further back from the frontage. These additions would therefore have less impact upon the street scene than those existing and I do not consider that the rooflights would have an impact upon the street scene. As such, overall I do not consider that the additions would have a material impact upon the character of the area.
- 4.3.3 With regard to impact upon the host property, the side additions would replace existing structures with the rear addition between being the main enlargement from the existing situation. The projection at 3.66m from the rear is acceptable for this host dwelling and the additions are obviously ancillary and would have no material impact upon this property in my opinion.
- 4.3.4 With regard to impact upon the neighbouring properties, no. 9 is set to the west and has a rear garden of approximately 6m which faces directly onto the application property, as this adjacent dwelling is set at a right angle. The proposed addition is 1m higher than the existing side addition however would have a hipped roof which angles away from the boundary. Being of single storey height and sited adjacent to the existing dwelling, I do not consider that the proposed side addition would cause any material loss of light or privacy to no. 9. The rooflights would be set at such a position in the roof as to not enable views out.

- 4.3.5 No. 13 is set to the north-east and the proposed garage addition would be set adjacent to the flank boundary of this property. Once again the roof would be higher than the existing garage by around 1m, however , I do not consider that the proposed side addition would cause any material loss of light or privacy to no. 13. Once again, the rooflights on this roof slope would be set at such a position in the roof as to not enable views out.
- 4.3.6 With regard to the rear addition, this would be set in between the side additions so would have no impact upon adjacent properties in my opinion.
- 4.3.7 Both the windows inserted in the original dwelling along with the internal alterations, do not require a specific planning permission and as such do not form part of this application.
- 4.3.8 In terms of parking provision, the site can accommodate two cars on the driveway, which is sufficient provision for a property in this location.

#### 4.4 **Conclusion**

- 4.4.1 I do not consider that either the proposed side and rear additions or the rooflights proposed would have any material adverse impact upon the residential amenities of the neighbouring properties, and their design and size would not be out of character with the host property or area.
- 4.4.2 Given that I can see no material planning grounds to withhold permission for this application, my recommendation is a favourable one.

#### **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, or with minor modifications of those details which have previously been agreed in writing by the Local Planning Authority as being not materially different from those thereby permitted.  
  
Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

**Reason for Decision**

The side and rear additions and rooflights hereby permitted would have no detrimental impact upon the neighbouring properties, the character of the property or the visual amenity of the area and, as such, comply with the relevant provisions of the development plan as summarised below.

Summary of Development Plan Policies and Proposals relevant to the Decision:-

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

Policy 28 - House Extensions

Policy 57 - Residential Guidelines and Standards

<b>ITEM NO: 6.7</b>	<u>Location:</u>	<b>27 Heathfield, Royston, SG8 5BN</b>
	<u>Applicant:</u>	<b>Mr Cooper</b>
	<u>Proposal:</u>	<b>Outline planning permission for two detached dwellings with integral garages (appearance and landscaping reserved matters) following demolition of existing bungalow</b>
	<u>Ref.No:</u>	<b>09/01121/ 1</b>
	<u>Officer:</u>	<b>Naomi Reynard</b>

**Date of expiry of statutory period** : 05 August 2009

**Reason for Delay**

Committee cycle

**Reason for Referral to Committee**

Objection from Royston Town Council

**1.0 Relevant History**

- 1.1 Planning permission was granted on 12th June 1989 for single storey side and rear extensions and provision of parking space.
- 1.2 Plans were submitted, in May 2008 for an L-shaped replacement dwelling, which would front onto the west leg of Heathfield. Following site visits and receipt of consultation responses concerns with the scheme were raised with the applicant. Amended plans were received on 5<sup>th</sup> August 2008. The application was recommended for approval by officers. Planning permission was refused by the Planning Control Committee on 23rd September 2009 for the following reasons:

***"The proposed development by reason of its excessive scale, height, inappropriate architectural detailing and prominent siting on this exposed corner plot would have an unacceptably dominant visual impact in the street scene, to the detriment of the character of the locality. The proposal therefore conflicts with Policy 26 and Guidelines 1 and 2 of Policy 57 of the North Hertfordshire District Local Plan No. 2 with Alterations and Paragraph 16 of Planning Policy Statement (PPS) 3 'Housing'."***

This application was allowed at appeal on 15th April 2009. An application for costs was made, but the application failed and no award of costs was made.

- 1.3 Planning permission was refused by the Planning Control Committee on 24th March 2009 contrary to officer recommendation for "Erection of detached 5 bedroom dwelling following demolition of existing dwelling" for the following reasons:

***"The proposed development by reason of its excessive scale, height, inappropriate architectural detailing and prominent siting on this exposed corner plot would have an unacceptably dominant visual impact in the street scene, to the detriment of the character of the locality. The proposal therefore***

***conflicts with Policy 26 and Guidelines 1 and 2 of Policy 57 of the North Hertfordshire District Local Plan No. 2 with Alterations and Paragraph 16 of Planning Policy Statement (PPS) 3 'Housing'.***

- 1.4 Planning permission was also refused by the Planning Control Committee on 24th March 2009 in accordance with the officer recommendation for "Outline planning permission for two detached houses with linked garages (appearance, landscaping and scale reserved matters) following demolition of existing bungalow" for the following reasons:

***"By reason of the proximity of the two storey element to the corner of the road, the proposal would be unacceptably visually prominent in the streetscene and as such would strike an incongruous note in the street scene. As such the proposal would fail to comply with Policy 57 of the North Hertfordshire District Local Plan No. 2 with Alterations and Planning Policy Statement 3 (Housing)."***

## **2.0 Policies**

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

Policy 21 - Landscape and Open Space Patterns in Towns

Policy 26 - Housing Proposals

Policy 55 - Car Parking Standards

Policy 57 - Residential Guidelines and Standards

### **2.2 East of England Plan**

Policy ENV7 - Quality in the Built Environment

### **2.3 National Planning Guidance**

Planning Policy Statement 3 – Housing

## **3.0 Representations**

- 3.1 **Highways Authority** - Does not wish to restrict the grant of permission. Recommended conditions as set out below.

- 3.2 **Environment Agency** - Recommended condition and informative.

- 3.3 **Town Council** – *"My Council objects to this application and in arriving at this decision it wishes the District Council to take into account the following comments:- It is an over-development of the site out of keeping of the area, the properties are too high and there is also inadequate parking spaces. The development will not enhance the street scene."*

- 3.4 **Local residents/site notice and press publicity:**

Letters received from the neighbours at **2A, 4, 29, 31, 33, 39, 42, 46, 52, 56, 64 Heathfield** with the following objections:

#### **Over-development**

- 24 plots in Heathfield were sold in 1903 and many of the plots have been subsequently sub-divided to form the current 39 dwellings, plus 3 built to the rear of plots 20 and 21. This is a sub-division of under 2 dwellings per plot. The 1903 documents set out the building lines and no dwellings have subsequently been built outside these defined lines, which should continue to be protected as the definitive building line.
- The plot is already sub-divided. Any further sub-division will result in a plot size, which is uncharacteristic of plots which are directly on the street line.
- Although some plots in Heathfield have been sub-divided, they are not those in a prominent corner position and therefore sit back from the road and make no

visual impact.

- The proposed replacement dwellings would be on the smallest plots in Heathfield with small rear gardens, narrow plot width and shallow frontage.
- The scale of the proposed properties is out of proportion for this small plot and its prominent corner location.
- The proposal has a considerably larger footprint than the existing bungalow and the detached house allowed on appeal.
- The proposal is not within the footprint of the existing building, which can only result in a more overpowering and dominant feature on this corner of Heathfield. The scheme allowed at appeal was within the existing building footprint.

### **Street scene**

- The reason for refusal of the previous outline application would still apply.
- The mass, bulk, scale and design of the intended dwellings render the proposal visually obtrusive, imposing and dominant on the corner. Proposed dwelling 27A will sit right on the building line and forward of no. 29, which is set well back to minimise its impact on the corner.
- The proposed dwellings have the appearance of a single large property.
- The proposal sits very uncomfortably with the surroundings both in terms of built form, scale, siting and area and would be out of character with the type of dwelling currently in Heathfield and as such would be contrary to Policy 57.
- The architectural style is not in keeping with other properties in the area.
- The proposal appears higher than previous proposals and should not be higher than the house approved by the Inspector under application ref. 08/01085/1.
- The proposal will detract from the general appearance of the Heathfield street scene.
- The property on the east corner of the north leg sits back from the building line and does not dominate the corner in the way that the proposal for 27A does.

### **Impact on neighbours**

- 27A would be set back on the plot and would result in overlooking of no. 29 and would dominate that property (particularly if the trees along no. 27's rear boundary are removed in future to create more space in the small garden).
- Proposed building is much closer to no. 25 resulting in potential overlooking and the loss of a tree.

### **Other issues**

- Would set an unwelcome precedent.
- Insufficient parking space on the property would lead to parking on the narrow road on a blind corner, which would be a highway safety issue.
- Loss of Walnut tree.
- Dispute that existing bungalow is beyond economic repair, as it is being successfully rented out.
- Concerns raised with regard to drainage and flooding.

## **4.0 Planning Considerations**

### **4.1 Site & Surroundings**

- 4.1.1 The property is a detached bungalow on the corner of the west and north legs of Heathfield. Heathfield is a U-shaped private road off Baldock Road. The street is made up of houses and bungalows of a variety of designs and ages spanning the twentieth century.

## 4.2 Proposal

4.2.1 The proposal is to replace the existing bungalow with two four-bedroom dwellings. The proposed houses would be detached, with integral garages. The application is for outline planning permission. Outline applications allow for a decision on the general principles of how a site can be developed. In this case the reserved matters are appearance and landscaping. As set out in Circular 1/2006 the applicant has provided information on the use and amount of development. Given that layout, access and scale are not reserved matters, the applicant has provided detailed information on these elements of the scheme, which can be considered as part of this application. Unlike the previous outline application, scale is not a reserved matter and can be considered in the determination of this application.

## 4.3.2 Key Issues

4.3.1 The central consideration is whether the revised scheme has addressed the Committee's reason for refusal in respect of the previous scheme for two dwellings (08/03015/1). Other key issues in the determination of the planning application are the impact of the use, amount, scale, layout and access of the proposal on the street scene, neighbouring properties and highways conditions in the vicinity of the site. In considering this application it is necessary to be mindful of the appeal decision (appeal allowed) on the application for one replacement dwelling (08/01085/1). The committee report for the previous scheme 08/03015/1 and the appeal decision for application 08/01085/1 are attached as appendices 1 and 2 respectively.

## 4.3.2 Differences from the refused scheme for two houses (08/03015/1)

The differences between this scheme and the previous one can be summarised as follows:

- The houses would not be linked by their garages.
- The combined footprint of the proposed dwellings (383 square metres) would be larger than the footprint of the two dwellings that were refused (325 square metres).
- House 27A would be 'set-in' approximately 3m further off the western boundary and the north western corner would be set in approximately 2.5m further off the northern boundary, within the line of the wall of the existing bungalow.
- The overall width of development would be reduced by approximately 1.4m.
- Both houses would be approximately 2.2m deeper at their deepest point.
- House 27 would extend approximately 1m deeper into the rear garden at its deepest point.
- House 27A would extend approximately 2.8m deeper into the rear garden at its deepest point.
- The houses would have shallower drives.
- There would be two accesses.
- The Walnut tree would be removed.

## 4.3.3 Differences from the approved scheme for one house (08/01085/1)

For reference, the differences between this current scheme and the appeal approved scheme can be summarised as follows:

- The proposal is for two houses, rather than one.
- The combined footprint of the proposed dwellings (383 square metres) would be larger than the footprint of the approved dwelling (276 square metres).
- The proposed houses would be approximately 1.5m deeper at their deepest point and their combined width would be approximately 2.7m greater on the plot than the approved scheme.
- The proposed development would extend approximately 4m deeper into the

rear garden at its deepest point.

- The proposed development would be approximately 2.9m closer to no. 25.
- The side wall of the proposed development would be approximately 0.5m further off the western boundary and the north western corner of the development would also be set back approximately 1.5m further off the northern boundary.
- The proposed development would have a hipped, rather than gable end roof on the western elevation.
- The development would have two accesses with shallower drives.
- The Walnut tree would be removed.

#### 4.3.4 **Applicant's response to reason for refusal of previous application for two houses**

In March 2009, planning permission was refused by this committee for "Outline planning permission for two detached houses with linked garages (appearance, landscaping and scale reserved matters) following demolition of existing bungalow" for the following reasons:

***"By reason of the proximity of the two storey element to the corner of the road, the proposal would be unacceptably visually prominent in the streetscene and as such would strike an incongruous note in the street scene. As such the proposal would fail to comply with Policy 57 of the North Hertfordshire District Local Plan No. 2 with Alterations and Planning Policy Statement 3 (Housing)."***

This application was referred to committee, because the recommended reasons for refusal did not address all the objections raised by Royston Town Council. The committee did not add any additional reasons for refusal. In my view the revised proposal has successfully addressed this single reason for refusal. The two storey element of proposed house 27A has been set back from the western and northern boundaries and would have a hipped roof. House 27A would be sited within the line of the existing bungalow along the northern and western sides. Planning permission has been allowed at appeal for a building with a gable end the same height as that proposed, in the position of the side wall of the existing bungalow. The Inspector considered that the proposed dwelling would not be unduly exposed or prominent and that the gable end wall would not be so large that it would be unduly bulky or prominent. Therefore, I do not consider that the proposal would be unacceptably visually prominent in the streetscene and as such would not strike an incongruous note.

#### 4.3.5 **Amendments to the proposed scheme for two houses**

Whilst acknowledging that the revised scheme addresses the reason for refusal of the previous application I will now go on to consider if any of the other changes to the proposals render the revised scheme unacceptable. I will consider these under the following headings; use, amount, scale, layout and access.

#### 4.3.6 **Use**

There has been no change to the proposed use of the site; two four-bedroom, two-storey dwellings are still proposed. In my view, there is no objection in principle to the replacement of the bungalow with two storey development and this view was reinforced by the Inspector's decision. Whilst the nearby properties to the east and north are mainly bungalows and chalet bungalows, the properties immediately to the west and south are two storey houses.

4.3.7 It is my view that there is no objection in principle to the replacement of the existing bungalow with two dwellings. Indeed Planning Policy Statement 3 encourages the efficient use of land for housing. Whilst I note the objections to the further sub-division of the plot, the principle of the sub-division of this plot for two houses has been tacitly accepted in the consideration of the previous application for two dwellings albeit permission was refused by the Committee for a single design

reason according to recommendation.

#### 4.3.8 Amount

The footprint of the proposed dwellings (383 square metres), would be larger than the footprint of the existing bungalow (180 square metres), the footprint of the two dwellings that were refused (325 square metres), the footprint of both the five bedroom house that was allowed at appeal (263 square metres) and the proposed house which was refused (276 square metres). The reason for refusal of the previous two dwelling application did not refer to the amount of development. Accordingly, we are now considering whether an increase of approximately 58 square metres would render the proposal unacceptable. In my view this amount of development would be acceptable in principle, given the size of the plot and the configuration of other properties in the street. The building to plot ratio has been referred to in the representations. The Inspector commented in his appeal decision that; ***“While some dwellings on Heathfield occupy spacious plots others are more compact.”*** The Design and Access Statement includes an analysis of some of the existing properties in Heathfield, giving approximate plot areas and rear garden areas, along with an ordnance plan, aerial photograph and supplementary photographs. Whilst the plot sizes would be at the smaller end in relation to others in the street, in my view, the proposal would not be so out of kilter with its neighbours as to constitute an over-development of the site. The amenity space proposed for each dwelling would be well above the guideline of 75 square metres set out in Policy 57 – Residential Guidelines and Standards.

#### 4.3.9 Scale

Circular 1/2006 states that scale is *“the height, width and length of each building proposed in relation to the surroundings”*. The key point to note here is that the proposal must be considered in relation to the surroundings, not in relation to the existing building on the site. The previous reason for refusal was based on the siting of house 27A, rather than the scale of the development, indicating that there were no objections in principle to the scale of the buildings. As such in the determination of this application the key consideration is whether there are any sustainable objections to the proposed increase in depth of both houses, particularly their increase in depth into the rear garden. Given the increase in overall footprint and in particular depth, the bulk of the proposed development has increased. However, in my view there would be no objection in principle to this increase in depth, particularly given that the overall width of the development has been reduced. Given that 27A would be set in from the western and northern boundaries, within the lines of the walls of the existing bungalow, I consider that the increase in depth and bulk would not result in the proposed house being unacceptably dominant in the streetscene. Whilst I note the neighbour’s comments that house 27A could dominate no. 29 and cause overlooking if the trees were removed. It is my view that this would not be the case, given the distance between the properties and given that the properties have a side to rear relationship, thus any windows in the rear elevation of house 27A would face the side wall of no. 29 and their front garden. House 27 would extend approximately 1m deeper into the rear garden. However would be no closer to no. 25 than the previous scheme. In my view this small increase in depth would not have an adverse impact on no. 25 in terms of loss of light, over dominance or loss of privacy. The Design and Access Statement confirms that the height of the proposed houses would be no higher than 7.25m, which is no higher than the height of the previous scheme for two houses or the application for one house, which was allowed at appeal.

#### 4.3.10 Layout

Circular 1/2006 explains that an assessment of layout is the consideration of ***“the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development”***. In my view the proposed buildings and space around them relate successfully to the buildings and spaces outside the development for the reasons set out above. Moreover, the houses would no longer be linked by their garages,

which would further improve this relationship.

#### 4.3.11 Access

As noted above the proposal now has two accesses and shallower drives. The Highways Authority has been consulted on this application and has raised no objections to the proposal. Their suggested conditions are recommended below. The Supplementary Planning Document: Vehicle Parking Provision at New Development gives a maximum parking standard of 3 spaces for 4 bedroom dwelling. However, given the location of the property within Royston and on a road where there does not appear to be a parking problem and given recent appeal decisions in relation to parking provision, I would not wish to raise objections to the scheme on these grounds. Notwithstanding the comments in the representations regarding garage usage; garages are included as spaces in the aforementioned Supplementary Planning Document.

#### 4.3.12 Appearance

Please note that appearance is a reserved matter, Circular 1/2006 defines appearance as ***“the aspects of a building or place which determine the visual impression it makes, excluding the built form of the development.”***

#### 4.3.13 Landscaping

Whilst landscaping has been shown on the drawings, landscaping is a reserved matter. The proposal would involve the removal of a Walnut tree near the boundary with no. 25. The application is accompanied by a report from a tree specialist justifying the need to remove this tree. In my view the tree is not worthy of a tree preservation order, as it does not have high public amenity value. It is not good practice to impose a tree preservation order on a tree which is not in good health. I have recommended the standard landscaping conditions.

#### 4.3.14 Policies

Guidelines 1 and 2 of Policy 57 (Residential Guidelines and Standards) were referred to in the reason for refusal of the previous scheme. For the reasons set out above, in my view this proposal would comply with Guideline 1, as it would relate to the site's physical shape and existing features and the character of the surroundings. Guideline 2 states that ***“The design and layout of new houses should be acceptable to most people in visual, functional and social terms.”*** With regard to Guideline 2, I would draw your attention to paragraph 13 of the attached Inspector's decision and his conclusion that this means whether a proposal would be acceptable to a reasonable neutral person and in applying this part of Guideline 2 it is the planning merits or otherwise of the proposal that must be considered. For the reasons set out above it is my view that the proposal would comply with Guideline 2. The scheme would also comply with Policy 26 (Housing Proposals), as it would be acceptable in that location within the environment and character of the existing area. Further, it is my view that this revised scheme would not be contrary to Paragraph 16 of Planning Policy Statement 3, as it would be well integrated with and would complement the neighbouring buildings and the local area more generally in terms of scale, density, layout and access and would create a distinctive character that relates well to the surroundings.

#### 4.3.15 Conditions

I have recommended the conditions that the Inspector recommended on the application for one house that was allowed at appeal. Whilst noting that the proposed building would be larger than that existing, he was not convinced that exceptional circumstances exist here in terms of the character of the area or its relationship with nearby properties whereby a condition withdrawing certain permitted development rights would be justified. Whilst this proposal is for two houses and occupies a larger footprint, in my view there are still no exceptional circumstances here to justify the removal of permitted development rights. He commented that Circular 11/95 advises that it is not reasonable to use conditions as an alternative to tree preservation orders to secure long term protection of trees.

As such I have not recommended a condition in relation to the retention of trees. In my view none of the trees on the site are worthy of tree preservation orders. Issues have been raised by neighbours regarding drainage. The Environment Agency were consulted on this application and recommended a condition and informative, as on the two most recent applications on the site. While the appeal Inspector did not deem it necessary to impose this condition, I have checked with the Environment Agency and it remains of the view that both condition and informative should appear on the decision. Given the Agency's positive response I have included the condition and informative in my recommendation.

#### 4.3.16 **Unilateral Undertaking**

The Unilateral Undertaking is complete and correct.

#### 4.4 **Conclusion**

4.4.1 In conclusion, the proposed scheme has successfully addressed the reasons for refusal of the previous outline application for two houses. Whilst there have been some other amendments to the proposed scheme these do not render the proposal unacceptable in my view. As such I must conclude that there are now no sustainable reasons to refuse this application.

### **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, or with minor modifications of those details which have previously been agreed in writing by the Local Planning Authority as being not materially different from those thereby permitted.

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

3. The building shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plan and the verge reinstated where any part of the existing access is removed.

Reason: In the interests of highway safety and amenity.

4. The approved access shall not be brought into use until 2m x 2m pedestrian visibility splays have been provided on each side of the access. These shall be measured from the point where the edge of the access meets the road. No structure or erection exceeding 0.6m shall be placed within the visibility splays.

Reason: To provide adequate visibility for drivers entering and leaving the site.

5. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include boundary treatment; the trees to be retained or removed; the trees, shrubs, hedges or grassed areas to be planted including the species proposed and the size and density of planting; and any earthworks proposed.

Reason: To ensure the submitted details are sufficiently comprehensive to enable proper consideration to be given to the appearance of the completed development.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building 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 in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

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

7. The development permitted by this planning permission shall only be carried out in accordance with the approved non-mains drainage assessment including the following specific mitigation measures detailed therein:

1. Soakaways to be constructed to BS6297:2007
1. No connection to watercourse or land drainage system and no part of the soakaway system is within 10 metres of any ditch or watercourse.
1. No siting of the septic tank within 50 metres or upslope of any well, spring or borehole used for private water supply.

Reason: To prevent pollution of the water environment.

### **Informative**

The maximum acceptable depth for soakaways is two metres below existing ground level.

The applicant should ensure that the existing septic tank is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of this proposal.

Under the terms of the Water Resources Act 1991, the prior written consent of the Agency is normally required for any discharge of sewage effluent into controlled waters (including groundwaters). Guidance and application forms can be found at <http://www.environment-agency.gov.uk/subjects/waterquality/> or telephoning(08708) 506506

### **Reason for Decision**

The development, hereby permitted, would have no adverse effect on the amenities of the neighbouring residential properties, the visual amenity of the locality or on highway conditions in the vicinity of the site and, as such, complies with the relevant provisions of the development plan, as summarised below.

Summary of Development Plan Policies and Proposals relevant to the Decision:-

**North Hertfordshire District Local Plan No 2 with Alterations**  
Policy 21 - Landscape and Open Space Patterns in Towns

Policy 26 - Housing Proposals  
Policy 55 - Car Parking Standards  
Policy 57 - Residential Guidelines and Standards

**East of England Plan**

Policy ENV7 - Quality in the Built Environment

<b>*PART 1 – PUBLIC DOCUMENT</b>	<b>AGENDA ITEM No.</b>
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<b>7</b>
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**TITLE OF REPORT: PLANNING APPEALS**

REPORT OF THE PLANNING CONTROL & CONSERVATION MANAGER

Please refer to attached report on planning appeals lodged and planning decisions made.

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**PLANNING CONTROL COMMITTEE**

**DATE: 13 August 2009**

**PLANNING APPEALS LODGED**

<b>APPELLANT</b>	<b>Appeal Start Date</b>	<b>DESCRIPTION</b>	<b>ADDRESS</b>	<b>Reference</b>	<b>PROCEDURE</b>
Mr Tookey	24/06/09	Proposed rear dormer window in roof space to create living accommodation	82 Melbourn Road, Royston, SG8 7DG	09/00579/1PUD	Written Representations

**Note: 1) No appeal decisions received**

**2) No hearings scheduled up until 21 August 2009**

**\*PART 1 – PUBLIC DOCUMENT**

**AGENDA ITEM No.**

**8**

**TITLE OF REPORT: PLANNING ENFORCEMENT CASELOAD AND MONITORING  
REPORT OF THE PLANNING CONTROL & CONSERVATION MANAGER**

Please refer to attached reports.

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## ENFORCEMENT CASELOAD

Address	Details (EN BOC SN PCN Prosecution)	Authorisation enforcement action	To Legal for action	Date notice issued	Date notice served	Expiry/ compliance by	Further action/ compliance
Old Forge, Church Lane, GRAVELEY	Enforcement Notice served in 2001	2-Oct-08	Oct-08	19-Dec-08	19-Dec-08	28 Days 16-Jan-09	Notice served on 19 December 2008, No appeal received. Compliance visit undertaken, compliance not achieved, papers sent to Legal Services for prosecution.
Lower Titmore Farm LOWER TITMORE GREEN	Unauthorised works to Listed Building	25-Jan-07	28-Nov-07				Planning / listed building consent application refused. Enforcement report to be written. Notice to be issued subject to Head of Legal Services being satisfied with the evidence.
r/o Hillcrest House Bedford Rd HOLWELL	EN caravan, containers, shed	18-Jan-07	07-Feb-07	20-Mar-07	20-Mar-07	5 months 20-sep-07	Enforcement Notice served 20/3/07, check compliance 20/9/07. Prosecution for non-compliance with court order of 19.12.07. Successfully prosecuted in court 02.07.08 defendant pleaded guilty, fined £2,000, with legal costs of £838.10 and a victim fee of £15. Legal preparing for prosecution and injunction.
Slip End Service Station, SLIP END	S215 Notice	11-June-07	20-June-07				Section 215 notice served. Notice comes into effect 19.10.07. Compliance by 16.11.07. Site untidy again. Change of ownership, 2 letters sent to new owners no reply. Further legal action to be sought.
41 Bygrave Rd BALDOCK	Breach of Condition Notice annexe to self contained unit	19-Mar-07	28-Mar-07	01-May-07	01-May-07	01-Aug-07	07/357/1EUD refused, to Legal for Breach of Condition Notice 28.3.07, served 30/4/07. On going monitoring for compliance. Separate residential use identified. PCN to be served in order to verify status of annex use and occupiers.
3 Sun Street, Baldock	Unauthorised works to listed building						Listed building applications approved for the removal of first floor, and insertion of new floor.
Land Adj 20 Maydencroft lane, Gosmore, Hitchin	Unauthorised construction of residential dwellings.	2-Oct-08	Oct-08				Enforcement report authorised. Planning Contravention Notice returned. Legal advice to be sought regarding further action.

## ENFORCEMENT CASELOAD

Land at junction of Danesbury Park Road, and Pottersheath Road, Welwyn	Enforcement Notice for removal of mobile home, and imported soil materials, and cessation of use of land for residential and business use.		24/04/2008	09/01/2009	09/01/2009	09/05/2009	Site survey of previous and new land levels of site undertaken on 22 September. Results received from surveyors. Enforcement Notice served. Appeal received.
The Old Rectory, Graveley	Wilful damage to tree in conservation area	20/11/2007	20/11/2007				Site meeting undertaken with developer to seek agreement for new specimen tree to be planted, in replacement of tree removed. Planting plan shows new trees to be planted, felled lime tree now re-generating, stump not to be removed. Planting scheme implemented no further action to be taken.
Unit 22, Baldock Industrial Estate, Baldock	Prosecution unauthorised advertisement – display of balloon.						Allowance for display of the balloon now exceeded. Proceeding to prosecution. Company fully aware of the situation both at head office and at the site.
The Stores 7 The Mead Hitchin	construction of unauthorised extension.						Planning application for the retention of the extension refused. Enforcement Notice to be issued.
As You Like It 69 High Street Codicote	unauthorised advertisements – display of banners.						Banners removed, breach ceased.

Address	Details (EN BOC SN PCN Prosecution)	Authorisation enforcement action	To Legal for action	Date notice issued	Date notice served	Expiry/ compliance by	Further action/ compliance
99-100 Ickleford Road, Hitchin	Temporary stop notice	06/12/2007			10/12/2007	28 days	Notice not served as unauthorised works had been removed. Continuing monitoring of site, approved works still not completed.
Green Lane, HITCHIN	S215 Notice	11-June-07	20-June-07			16-Nov-07	Section 215 notice served. Notice comes into effect 19.10.07. Compliance by 16.11.07 Monitoring to continue as site has been cleared. Site still clear as of 2 January 2009.