

3/15/0415/FUL – Construction of 2 houses with garage parking at rear at 103, New Road, Ware SG12 7BY for V and V Reclamation

Date of Receipt: 19.03.2015

Type: Full

Parish: WARE

Ward: WARE – CHRISTCHURCH

RECOMMENDATION:

That planning permission be **GRANTED**, subject to the following conditions:

1. Three year time limit (1T12)
2. Approved plans (2E10)
3. Boundary walls and fences (2E07)
4. Obscured glazing (2E18) (First and second floor flank elevations)
5. No above ground external brickwork shall be laid until a sample of the external brick and details of bonding have been submitted to and approved in writing by the Local Planning Authority. The brickwork shall thereafter be constructed in accordance with the approved detail.

Reason: In the interests of the appearance of the development having regard to Policies ENV1 and BH6 of the East Herts Local Plan Second Review 2007.

6. No roof tiles shall be laid until a sample of the tile has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved detail.

Reason: In the interests of the appearance of the development having regard to Policies ENV1 and BH6 of the East Herts Local Plan Second Review 2007.

7. Prior to their installation detailed drawings of new windows and doors at a scale of not less than 1:20 including materials and finishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the development having regard to Policies ENV1 and BH6 of the East Herts Local Plan Second

3/15/0415/FUL

Review 2007.

8. Prior to installation detailed drawings of all rainwater goods shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved detail.

Reason: In the interests of the appearance of the development having regard to Policies ENV1 and BH6 of the East Herts Local Plan Second Review 2007.

9. Withdrawal of P.D. (Part 1 Class A) (2E20).

10. Tree/hedge retention and protection (4P05).

11. A 0.65m x 0.65m visibility splay shall be provided and permanently maintained each side of the access way to the edge of carriageway/back of footway, within which there shall be no obstruction to visibility between 600mm and 2.0m above carriageway/footway level. Details shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

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

12. Prior to first occupation of the dwellings the car parking areas shall have been laid out, surfaced and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure satisfactory provision of the parking areas.

13. Construction parking and storage (3V22).

14. The first floor accommodation within the garage/car port buildings hereby approved shall only be used for purposes ancillary to the occupation of the dwellings and shall not at any time be used as habitable accommodation.

Reason: To safeguard the amenities of the occupiers of surrounding properties.

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan

3/15/0415/FUL
(Minerals)

Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the 'saved' policies of the East Herts Local Plan Second Review April 2007); the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2012 (as amended). The balance of the considerations having regard to those policies is that permission should be granted.

Directives:

1. Other legislation (01OL)
2. The applicant's attention is drawn to the requirements of the conditions of this planning permission. Details of the development are required to be submitted to and approved in writing by the Local Planning Authority prior to commencement of the specified works. The development should not continue until the requirements of the conditions are met.

_____ (041515FUL.DJS)

1.0 Background

- 1.1 The application site is shown on the attached Ordnance Survey extract. It lies within the built up area of Ware and within Ware Conservation Area.
- 1.2 The site was formerly occupied by office premises.
- 1.3 The application is reported to Committee at the request of a former Ward Member.
- 1.4 A two dwelling scheme was approved at the site in 2011. Building work commenced earlier this year and the basement level of the buildings has been constructed. However, building work ceased pending a decision on the amended scheme the subject of this application. This application proposes the following amendments to the approved scheme:
 - Entrance doors moved from centre to the side wing of the houses
 - An increase in the depth of the two-storey side and basement Elements, bringing them further toward the frontage of the site

3/15/0415/FUL

- An increase in the height of the main building of 0.18m and an increase in the height of the side wings of 0.11m (as a result of a rise in the ground floor level of the building by 0.34m).
- Alterations to the front and side elevations including alterations to fenestration and the front projecting bays
- Alterations to the position and number of chimney stacks, placing them centrally within the pair of properties
- Reduced parking provision at the frontage of the site
- Re-arrangement of the internal layout of the proposed houses
- An increase in site area, enlarged gardens and the introduction of garage and car port structures to the rear, accessed from Millbrook Court. On the north side, is a two vehicle garage and workshop space with games room/ storage accom over. The south property has a two vehicle car port and workshop with storage over. The north side building is 6m x 9.7m footprint and 5.2m height to the ridge roof. The south side building is to be 4.4m x 9.3m in footprint and the same ridge height. Centrally facing rooflight windows are proposed. No other window openings.

2.0 Site History

The planning history relevant to the application is as follows:

- 3/07/2687/FP – Demolition of office and construction of 6 houses. Refused 14/02/08.
- 3/10/2139/FP – Erection of two houses with ancillary parking. Approved 14/02/11.
- 3/11/0389/FP – Erection of two houses with ancillary parking (rear part of site). Refused 14/05/11.

3.0 Consultation Responses

- 3.1 Conservation Officer: observes that the proposal is not considered to pose any harm to the character and appearance of the Conservation Area.
- 3.2 Herts. CC (Highways): consider that the development is acceptable in highways context, subject to conditions. They observe that the

3/15/0415/FUL

residential use is likely to generate far fewer trips than the former office use.

3.3 Thames Water: have no objection.

4.0 Parish/Town Council Representations

4.1 Ware Town Council: No objection.

5.0 Other Representations

5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.

5.2 Five responses have been received from adjoining and nearby residents objecting on the following grounds:

- Have commenced building in disregard of planning process
- Excessive hard surfacing
- Inappropriate design which fails to preserve or enhance the character of the conservation area and is unsympathetic in this part of the street and pattern of development
- Over-development of the site
- The proposed garaging at the end of the rear garden will be only slightly smaller than the proposal for two houses at the end of the plot refused under application 3/11/0389/FP and is contrary to Policies EN1 and BH6
- An increase in the size of the side wings to the houses of 25% is not a minor change
- The development would be excessive in scale. The proposed houses fill the full width of the plot and would be out of character in the locality
- The positioning of the development would result in loss of sunlight and over-shadowing of the patio of No.105A for most of the day and loss of light to the flank kitchen window
- Garages at rear are excessive and detrimental to outlook of neighbours. Given the size of the houses there is no need for first

3/15/0415/FUL

floor accommodation

- Lack of parking and detrimental impact on traffic flow on this busy road

6.0 Policy

6.1 The relevant 'saved' Local Plan policies in this application include the following:

SD1	Making Development more Sustainable
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV9	Withdrawal of Domestic Permitted Development Rights
ENV11	Protection of Hedgerows and Trees
BH6	New Development in Conservation Areas
TR7	Car Parking Standards

6.2 The National Planning Policy Framework and Planning Practice Guidance are also of relevance to the determination of the application.

7.0 Considerations

7.1 The principle of the development was considered under the previous application wherein planning permission was granted for the construction of two four storey houses (basement and three above ground floors). This application proposes the amendments to that scheme as set out above.

7.2 The main issues to be considered in the revised application are:

- Scale, layout ,design and landscaping resulting and impact on the Conservation Area having regard to Policies ENV1, ENV2 and BH6
- Impact on neighbouring properties
- Parking and access having regard to Policies TR2 and TR7

Scale, Design and Layout

7.3 The proposed dwellings maintain the building line along the frontage of the plot as per the previous permission. A similar form of development is proposed, with a pair of four storey (basement and three above ground) semi-detached dwellings introduced onto the site. The previous scheme reserved an area of land to the rear for potential future

3/15/0415/FUL

residential development. This area is now included within the site and as a consequence the overall layout is improved with an increase in the depth of the rear gardens.

- 7.4 The inclusion of garage accommodation at the rear of the site has reduced the need for parking on the frontage. Previously parking was to take place on the front and side of the new properties, with double gates to enclose parking areas to the frontage. These are not now required and, as a result, the frontage is likely to appear less cramped in appearance.
- 7.5 The 0.17m increase in the height of the main part of the building, the 1.8m increase in the depth and 0.11m increase in the height of the two storey wings adds to the bulk of the building. However, it remains the view that the building will sit well within the slope of the road, with buildings increasing in height from no 99, to the site, and then on to no 105a. The increase in depth of the wings brings these elements closer to the frontage of the site. The main impact of this will be that views will be had of the south side wing over and adjacent to the property at no 99. The impact is not considered harmful given the separation between the properties and the rise in the land, as referred to above.
- 7.6 The proposed alterations to the fenestration of the building follow the design principles of the previous scheme. In terms of the visual impact of them, no harm is considered to result (amenity impact is considered below).
- 7.7 The proposed houses represent a design approach which is considered to be acceptable with regard to its impact on the character and appearance of the street scene and the conservation area in the locality. The carport buildings are proposed to the rear (west) part of the site. In the wider views of the site and area they will not be unduly conspicuous. They will be viewed from the parking area associated with Hartfield Court to the rear, and from the neighbouring properties at 99 and 105a New Road and from Collett Road. However, the impact of these buildings on the character of the area is acceptable.

Impact on neighbours

- 7.8 Although the overall depth of the two-storey flank wings has increased from 8.8m to 10.9m and includes an extension to the basement areas of each dwelling, the projection of the wings beyond the rear of the main block of the proposed houses and distance to the flank boundaries remains the same as previously approved. The extended element therefore has been to draw these side elements further toward the front of the site. There has been an increase in the overall

3/15/0415/FUL

height of the main part of the building and to the height of the wings. It is considered that the relationship with the adjacent dwellings remains acceptable, their main outlook being to the front and rear of their plots.

- 7.9 There is an existing kitchen window on the south elevation of No.105a. The scheme, as approved, has an impact on the light received through this window. It is not considered that relationship is further detrimentally impacted when compared to the approved scheme as the separation distances remain unchanged. Light is received in the rear facing windows and glazing of no 105a. The proposals will have an impact on this, and a rear patio area. However, again, the impact is not considered to be greater than the approved scheme, and not unacceptably harmful.
- 7.10 The development would be positioned on higher land than No.99 and therefore as in the previous scheme there will be some impact on the outlook from that property. The side wing of the proposed building projects 8m beyond the first floor of that property but, as in the previous scheme, a gap of 5m would be retained between the buildings.
- 7.11 Windows are now proposed to the side facing wings of the new properties – previously only ‘blind’ windows (brick facades with the appearance of windows) were proposed. All these windows are to be fitted with obscure glazing and are to toilet/ bathroom/ hallway areas. No unacceptable impact on privacy is anticipated as a result.
- 7.12 Garage/car port accommodation is proposed at the end of the rear gardens separated by an open courtyard. The buildings would be a maximum height of 5.2m to the ridge of pitched roofs. Games room/storage space is proposed in the roof space with inward facing roof lights.
- 7.13 On the north side, the building is placed along the rear garden boundary of the property at 22 Collett Road. There are no privacy implications, there being no north facing windows. It is also considered that the impact of the building is acceptable as it is placed some 20m distant from the rear façade of the dwelling at no 22 and at a lower level.
- 7.14 On the south side, the new building will be placed partly alongside the side boundary with the property to the south, 99 New Road, toward the rear of the plot, and partly alongside the space laid out as parking to the Hartfield Court housing to the rear. Again, the lack of any rear or side facing windows prevents privacy impact. The building is further distant from the adjoining residential property at no 99 such that any amenity impact is slight.

3/15/0415/FUL

Parking and Access

- 7.15 The current scheme proposes a reduction in the level of car parking on the frontage of the development compared to the previously approved scheme. Previously there was the potential to park up to three vehicles on each frontage, utilizing also the area to the side of the properties. Given a pedestrian ramp now proposed to the northern most property, it may only be possible to accommodate one vehicle on the frontage of this property. Two could be accommodated on the southern property. In addition, two spaces are to be provided in the garaging area now proposed to the rear.

The houses are shown as 4 or 5 bed. The zone 4 location would require a maximum of 3 spaces per property under the currently applied standards. The emerging standards are unchanged with respect to the space provision required (3 per dwelling) but allow consideration to be given to a reduction of up to 25% in zone 4 locations. Judged against the standards, sufficient provision is made.

On road parking in the area is generally controlled and therefore any parking which cannot be accommodated on the site would be subject to these controls. Whilst on road parking may occur, it is not considered that the resultant impact would be unacceptably harmful.

Other matters

- 7.16 Three existing mature trees on the frontage of the site are to be retained.
- 7.17 A land contamination report was submitted with the application and Environmental Health are satisfied that this was not an issue.
- 7.18 Given the size of the proposed houses and the potential for future extensions to impact on neighbouring properties it is considered to be reasonable to remove Class A permitted development rights by the imposition of a condition. A condition is also recommended restricting the use of the first floor accommodation within the garage/car port buildings to ancillary none habitable accommodation.

Conclusion

- 7.19 Overall, it is considered that the proposal retains the design quality of the previously approved scheme. It incorporates improvements in terms of parking arrangements and increased private amenity space. As the original approval retained the possibility for further residential development on the rear part of the site the current scheme in effect

3/15/0415/FUL

reduces the density of development at the site. It is considered that there would be no material increase in impact on neighbouring properties relative to the extant approved development for two houses. The application is therefore recommended for approval, subject to conditions.