

- (a) 3/08/2022/LC-Demolition of existing bungalow;
(b) 3/08/2021/FP-Construction of replacement dwelling and cart lodge
(c) 3/08/2023/FP- Extension to existing bungalow, conversion of the enlarged roof space and erection of cart-lodge at Elfering Bank, Little Hadham for Mrs Lindsey Dybell.
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Date of Receipt: 18.12.08

Type: (a) Conservation Area Consent
(b) & (c) Full Permission

Parish: LITTLE HADHAM

Ward: LITTLE HADHAM

RECOMMENDATION

(a) That Conservation Area Consent be **GRANTED** subject to the following conditions:-

1. Conservation Area (clearance of site) (8L133)
2. Materials arising from demolition (2E322)
3. Construction hours of working- plant & machinery (6N072)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular BH4. The balance of the considerations having regard to those policies is that permission should be granted.

(b) That Planning Permission be **GRANTED** subject to the following conditions:-

1. Three Year Time Limit (1T121)
2. Samples of Materials (2E12)
3. Construction hours of working (6N07)
4. Landscape Design Proposals (4P12)
5. Landscape works implementation (4P13)
6. Withdrawal of P.D. (Class B) (2E233)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular OSV2, BH6, HSG7, ENV1, ENV2 and ENV9. The balance of the considerations having regard to those policies is that permission should be granted.

- (c) That planning permission be **GRANTED** subject to the following conditions:-
1. Three Year Time Limit (1T121)
 2. Samples of Materials (2E12)
 3. Construction hours of working (6N07)
 4. Landscape Design Proposals (4P12)
 5. Landscape works implementation (4P13)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular OSV2, BH5, ENV1, ENV2, ENV5 and ENV6. The balance of the considerations having regard to those policies is that permission should be granted.

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1.0 Background

- 1.1 The application site is shown on the attached OS extract.
- 1.2 The existing site is occupied by a detached bungalow. The dwelling is situated on raised land and is set back approximately 24metres from the highway, at a 90° angle to the highway, facing south. The neighbouring residential properties are situated on lower ground to the application site and front onto the highway. The land to the east and north of the site rises to form a steep bank.
- 1.3 The existing dwelling is single storey, reaching a ridge height of approximately 5.1metres and is constructed with a pale red brick and render. A lean-to green house structure adjoins the west facing elevation of the dwelling.

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- 1.4 The proposal is for (a) Conservation Area Consent for the demolition of the existing building, (b) A replacement dwelling and a cart lodge (c) Extensions and alterations to the dwelling and a cart lodge. The proposed resulting dwelling in terms of its height, footprint and external appearance for the proposed replacement dwelling and the extensions to the dwelling are identical. The proposed dwelling would extend 1.8metres to the eastern flank of the property, cutting into a small section of the bank. To the front and rear of the dwelling, extensions of 1.2metres and 1.7metres respectively are proposed to form gable end projections. The ridge height of the resulting dwelling is proposed to be extended by approximately 1.3metres, reaching a ridge height of 6.4metres. The proposed chimney stack would project above the ridge of the dwelling reaching a height of 7.2metres.
- 1.5 The proposed cart lodge would be situated 7metres south of the proposed dwelling, within approximately 2metres of the boundary of the site with the neighbouring property Marshalls. The proposed building would form a single open bay, with a small lean-to element to the side. The building would have a pitched roof with a ridge height of approximately 3.7metres.

2.0 Site History

- 2.1 There is no relevant planning history at this site.

3.0 Consultation Responses

- 3.1 The Herts and Middlesex Wildlife Trust have commented that the adjacent wildlife site should be protected against any indirect effects that the proposed development may have.
- 3.2 County Highways do not wish to restrict the grant of permission.
- 3.3 The Councils Conservation Officer recommends that Conservation Area Consent is granted for the demolition of the building as it is of no particular interest or value to the Conservation Area.. With regards to the proposed dwelling it is considered to be of a more suitable design. The Officer commented that the impact upon the nearby Listed Building; Stumbledon is an area of concern due to the way the land rises to the rear of that property (Stumbledon) As a result the building is in an elevated position. The proposed dwelling will be more visible from the road due to its increased height, but the use of dark recessive stained boarding will lessen its impact. On balance therefore the Officer recommends approval of the new dwelling.

4.0 Parish Council Representations

4.1 No representations have been made by the Little Hadham Parish Council at the time of writing this report, however, any comments received will be reported verbally to at the meeting.

5.0 Other Representations

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

5.2 13 letters of objection have been received on the applications from local residents. The concerns raised are summarised as follows:

- Inappropriate sized dwelling that takes no account for the original design which sought to minimise the impact upon the Conservation Area
- Out of keeping and detrimental to the Conservation Area
- The proposed dwelling would dominate neighbouring properties and spoil views of the village
- Overbearing to neighbours
- Loss of privacy
- Overshadowing
- Proportion of the building is at odds with the adjacent buildings
- The proposal does not relate well to the massing and heights of the surrounding buildings or respect the amenities of the neighbours, contrary to Policy ENV1
- The proposals are not sympathetic in terms of scale and proportion to the adjacent buildings and the character of the area, contrary to Policy BH5.
- Overdevelopment
- Materials proposed would add to the prominence of the building

6.0 Policy

6.1 The relevant policies of the East Herts Local Plan Second Review (April 2007) are:

BH4	Demolition in Conservation Areas
BH6	New Development in Conservation Areas
OSV2	Category 2 Villages
HSG7	Replacement dwellings and Infill Housing Development
ENV1	Design and Environmental Quality
ENV2	Landscaping

ENV5	Extensions to Dwellings
ENV6	Extensions to Dwelling-Criteria
ENV9	Withdrawal of Domestic Permitted Development Rights

7.0 Considerations

- 7.1 The principle considerations in this case are whether the proposed development complies with the policies within the Local Plan.

Demolition of the existing building

- 7.2 Policy BH4 states that the demolition of a structure within a Conservation Area will be permitted where it makes no positive contribution to the character, appearance or setting of the Conservation Area.
- 7.3 The existing building is a 1970's construction, which does not contribute significantly to the historic fabric of the Conservation Area. The demolition of the building would not be harmful to the character and appearance of the Conservation Area and therefore Officers recommend approval of the application for Conservation Area Consent in this instance.

Replacement Dwelling

- 7.4 Officers consider that the site is within the built up area of the Category 2 Village of Little Hadham. The application for the replacement dwelling should therefore be considered against Policy HSG7.
- 7.5 Policy HSG7 allows for replacement dwellings where they are well sited in relation to the surrounding buildings so as to not appear obtrusive or over intensive and the design complements the character of the local built environment. The principle of a replacement dwelling at this site is considered to be acceptable due to its location within the built up area of the Category 2 Village.
- 7.6 The acceptability of the resulting dwelling, whether it be a replacement or extensions to the existing property, in addition to the considerations set out in Policy HSG7, should be assessed in accordance with Policy ENV1 which seeks for a high standard of design that would respect the amenities of neighbouring occupants and Policies BH5 and BH6 which seek sympathetic development within the Conservation Area. In addition, in the consideration of the application for the extensions, regard should be had to Policies ENV5 and ENV6 which allow for extensions where the character, appearance and amenities of the existing dwelling and adjoining dwellings would not be significantly affected to their detriment.

Design

- 7.7 As the site is located within the built up area of a Category 2 Village there is no restriction in principle to the size of extensions to existing dwellings, provided that they would not be detrimental to the existing or neighbouring dwellings. The proposed extensions to the building are considered by Officers to be modest in size and would not constitute an overdevelopment of the site.
- 7.8 The proposed gable end projections to the front and rear would accord with the existing design of the dwelling, yet with substantial additional glazing to the rear. The proposed dormer windows are sited upon the rear roof slope and would be of modest proportions so as to not dominate the roof slope, inaccordance with Policy ENV6.
- 7.9 Reaching a ridge height of 6.4metres, the proposed developments would achieve accommodation at 1st floor whilst minimising the overall height of the building by using the roof space in order to create a resulting building that would largely be one and a half storey.
- 7.10 The proposed development, whether achieved by a replacement dwelling or extensions, is considered to be of a size, scale and design that would be sympathetic to the character of the existing dwelling.
- 7.11 Although the dwelling is located at a higher level to the surrounding buildings and the highway to the west, Officers do not consider that the dwelling would appear unduly prominent within the street scene or the wider Conservation Area. The extensions that are proposed to the dwelling are considered to be of a size, scale and design that together with the siting of the dwelling; which is set back substantially from the highway and orientated at an angle upon the site, that would not be detrimental to the appearance of the Conservation Area. Officers acknowledge that the proposed increase in height to the dwelling and the gable end projections would increase the amount of the building that is visible from outside of the site. However, it is considered that the proposed extensions and alterations would not be of such significance that they the resulting building would appear unduly prominent within the surrounding Conservation Area.

Neighbour amenity

- 7.12 Several of the representations made by neighbours express concerns relating to the impact that the proposed development would have upon the amenities of the neighbours, including whether the development would be overbearing or result in a loss of light or privacy and these comments are duly noted.

- 7.13 The closest neighbouring properties are Marshalls and Stumbledon. The proposed development would introduce fenestration at 1st floor level within the gable end projection that faces south towards Marshalls. This window would be at a distance of approximately 29metres from the boundary of this neighbour and any overlooking would be restricted to the rear garden area. Due to the number of windows proposed, their siting upon the building and the distance to the neighbours, the proposed development would not result in an unacceptable level of overlooking to this neighbour. The dormer windows that are proposed within the rear roof slope as well as the glazing to the upper level of the rear gable end projection would not result in an unacceptable level of overlooking to the neighbour to the north west; Gouldburn. This neighbour is located at a distance of approximately 55-60metres from the rear of the proposed dwelling, a distance of 30metres to the boundary and is at an angle, positioned further west of the application site.
- 7.14 Stumbledon is located approximately 12metres to the west of the flank elevation of the proposed dwelling. As the application site is raised from all neighbouring properties the impact that the extensions would have would inevitably be greater than if the land were level. The side of the gable end roof of the existing dwelling currently protrudes above an existing outbuilding at Stumbledon, allowing clear visibility of this part of the building partially from the garden area of this property and more significantly from the east facing 1st floor windows. The proposed development, with the extension to the roof would inevitably increase the prominence of the building when viewed from this neighbouring property. However, the proposed increase in height of approximately 1.3metres and at a distance of approximately 12metres from this neighbour's habitable rooms, would not be of a sufficient degree of harm to justify the refusal of the planning applications. It is acknowledged that the proposed chimney would protrude further above the proposed new ridge height, however, this element is limited in size, with a width of approximately 0.8metres. Officers do not consider that the resulting development would be overbearing upon this neighbour.
- 7.15 With regards to overshadowing, the property is situated to the east of the neighbouring dwellings; this siting together with the increase in height that is proposed to the building would not result in an unacceptable loss of daylight. Those dwellings that the property is south of are at a sufficient distance that together with the size of extensions that are proposed would again not result in an unacceptable loss of light.

Cart Lodge

7.16 The proposed cart lodge is of a modest size and simplistic design that would not detract from the character and appearance of the existing dwelling or that of the surrounding Conservation Area. The size, scale, design, height and siting of the structure would not be detrimental to the amenities of the nearest neighbour at Marshalls.

8.0 Conclusion

8.1 The demolition of the existing building is considered to be acceptable as Officers consider that it does not currently make a significantly positive contribution to the character and appearance of the Conservation Area.

8.2 Having considered the proposed developments and having regard to the representations that have been made, Officers consider that the proposed replacement dwelling and extensions to the existing dwelling are acceptable. The resulting size, scale and design of the dwelling would not be harmful to the character of the surrounding Conservation Area or have an unacceptable impact upon the neighbours.

8.3 Having regard to the above considerations it is recommended that Conservation Area Consent and planning permission is approved subject to the conditions at the head of this report.