

**5o E/12/0054/B – Unauthorised extensions and alterations to the dwellinghouse at Park Farm House, Aston Lane, Aston, Herts**

**Parish: ASTON**

**Ward: DATCHWORTH AND ASTON**

**RECOMMENDATION:**

That the Director of Neighborhood Services, in consultation with the Director of Internal Services, be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and any such steps as may be required to secure either i) the restoration of the building to its former authorised state or ii) the alteration of the building to accord with planning permission ref: 3/10/1633/FP.

Period for compliance: 6 months

Reasons why it is expedient to issue an enforcement notice:

1. The extensions and alterations, to include the inappropriate roof design, are detrimental to the character and appearance of the original dwelling and detrimental to the character of the Aston Conservation Area thereby contrary to policies ENV1, ENV5, ENV6 and BH5 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.

\_\_\_\_\_ (005412B.PD)

**1.0 Background:**

- 1.1 The site is shown on the attached Ordnance Survey extract. The property is a large detached property located to the south of the main settlement of Aston and within the Aston Conservation Area.
- 1.2 It was brought to the attention of the Enforcement team in December 2011 that the extensions constructed did not accord to the planning permission granted under reference 3/10/1633/FP.
- 1.3 Contact was made with the owner's agent and they were advised that the alterations made could not be dealt with as a minor amendment; therefore a new planning application was required to be submitted showing the 'as built' design.
- 1.4 A retrospective application was submitted in January 2012, and after due consideration was refused permission on the 23<sup>rd</sup> April 2012 for the

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following reason:

- The development as built, by its form and inappropriate roof design, is detrimental to the character and appearance of the original dwelling and detrimental to the character of the Aston Conservation Area. It is thereby contrary to policies ENV1, ENV5, ENV6 and BH5 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.

### **2.0 Planning History:**

2.1 The relevant planning history is as follows;

3/10/0460/FP	Single storey rear extension and new roof over swimming pool.	Refused
3/10/1633/FP	First floor rear extension and new roof over swimming pool – revised scheme	Approved with conditions
3/12/0132/FP	First floor rear extension and new roof over swimming pool.	Refused

### **3.0 Policy:**

3.1 The relevant policies in this matter are;  
ENV1 – Design and Environmental Quality  
ENV5 - Extensions to Dwellings  
ENV6 - Extensions to Dwellings – Criteria  
BH6 – New Developments in Conservation Areas

3.2 National Planning Policy Framework is also of relevance to the determination of the application.

### **4.0 Considerations:**

4.1 The planning permission granted under reference 3/10/1633/FP, approved the design of the roof of the main dwelling. It was to be re-configured such that the height would remain the same but would incorporate a projecting dormer of similar design to that seen on the front elevation.

4.2 The original application provided a homogenous design where the character and appearance of the rear elevation reflected that of the front elevation in respect to the first floor windows, the dormer window and the

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- gables. Instead of the approved separate and distinct gables in keeping with the Edwardian building, there is now a flat roof at two-storey level, which is out of keeping with the original building.
- 4.3 This flat roof feature has led to the distortion of the two rear gables, such that they are no longer distinct and separate as on the front elevation but joined at 'half mast'. This feature is out of keeping with the character and appearance of the original building contrary to the requirements of policies ENV5 and ENV6 of the East Herts Local Plan.
- 4.4 The flat roof feature also distorts the appearance of the new first floor window, which no longer sits comfortably with the corresponding existing rear window or with those corresponding windows at the front of the dwelling.
- 4.5 The dwelling makes a positive contribution to the Aston Conservation Area and comprises a dwelling of significance, backing on to the cricket field at the centre of the Aston Conservation Area where the rear elevation is subject to public view. Officers consider that the original planning permission was sympathetic to the design of the original Edwardian dwelling and the wider Aston Conservation Area.
- 4.6 The Council's Conservation Officer has commented as follows:

*'The house is in the conservation area in a prominent position to the south of the historic core of the village, in a corner between Stringers Lane and Aston Lane and overlooking the cricket field. The field is a large open space in the centre of the conservation area and affords clear views of the rear elevation of Park Farm House. There are also good views of this elevation from Aston Lane and Broadwater Lane. Any development to this elevation will therefore have implications for the conservation area's character and setting.'*

*The proposal, which was considered under planning reference 3/10/1633/FP, involved reconfiguration of the roof that would remain of the same height and incorporate a small window and a projecting oriel-like window, similar to those on the front elevation. This design respected the distinctness of the gabled and oriel projections and was accepted as sympathetic to the overall stylistic character and reflecting architectural features of the host building.*

*Instead, the roof eaves line was raised creating a flat roof element and the oriel became fully embedded in the masonry. As a result, the integrity of the two rear gabled elements has been compromised. The elevation as was created is alien to, erodes the character of this historic building, and detracts from its architectural interest. As it is subject to clear views*

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*across various sightlines within the conservation area these alterations are detrimental to the character and appearance of the conservation area'.*

- 4.7 It is the view of officers that the alterations are contrary to policy ENV5 such that the character and appearance of the dwelling have been significantly affected to its detriment. The extensions are not built to a design that is complementary to that of the original building and its setting contrary to policy BH6.

### **5.0 Recommendations:**

- 5.1 It is therefore recommended that authorisation be given to issue and serve an enforcement notice requiring the removal of the unauthorised works and extensions to the building and either (i) restore the building to its former authorised state or (ii) alter the building to accord with planning permission granted under reference 3/10/1633/FP.