

**5f 3/12/1713/FP – Two storey and single storey front extensions and first floor flank window at 21, Broadleaf Avenue, Bishop’s Stortford, CM23 4JY for Mr and Mrs Scott**

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**Date of Receipt:** 08.10.2012

**Type:** Full – Other

**Parish:** BISHOP’S STORTFORD

**Ward:** BISHOP’S STORTFORD – SOUTH

**RECOMMENDATION:**

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

1. Three year time limit (1T12)
2. Approved Plans (2E10) (Location Plan, 21-7-01, 21-7-02 Rev A, 21-7-03 Rev A, 21-7-04 Rev A, 21-7-05 Rev A, 21-7-06, 21-7-07)
3. Matching Materials (2E13)
4. The proposed window opening in the first floor west facing elevation of the dwelling shall be fitted with obscured glass and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazing shall be retained permanently thereafter.

Reason: In the interests of neighbour amenity in accordance with policies ENV1, ENV5 and ENV6 of the East Herts Local Plan Second Review April 2007.

**Directives:**

1. Other Legislation (01OL)
2. Groundwater Protection Zone (28GP)

**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 (Hertfordshire County Structure Plan, 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 and in particular policies ENV1, ENV5 and ENV6); the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order

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2012. The balance of the considerations having regard to those policies and the amendments made to LPA ref. 3/12/0745/FP 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 No.21 Broadleaf Avenue is a two storey detached property, sited to the south west of the centre of Bishop's Stortford. The site lies within the built up area, wherein there is no objection in principle to development.
- 1.3 The application proposes the erection of a part two storey, part single storey front extension. The proposed two storey element would extend beyond the front building line of the existing dwelling by 2.5 metres, and the single storey extension by a further 2.2 metres. The extensions would have a width of 4.5 metres and would provide an additional bedroom on the first floor and a sitting room on the ground floor.

#### **2.0 Site History:**

- 2.1 Planning permission was refused within LPA reference 3/12/0745/FP for the construction of a two storey front extension. This application sought permission for a two storey extension that was 5.5 metres in depth and a maximum height of 7 metres. That application was refused for the following reasons:
  1. The proposed two storey front extension by reason of its size and siting would be out of keeping with and detrimental to the character and appearance of the existing dwelling. The proposal is thereby contrary to policies ENV1, ENV5 and ENV6 of the East Herts Local Plan Second Review April 2007.
  2. The proposed two storey front extension by reason of its size, siting and cumulative length with the existing dwelling would result in a substantial two storey flank elevation in close proximity to the western boundary of the site which would be detrimental to the outlook of No. 27 Cedar Park. The proposal is thereby contrary to policies ENV1 and ENV5 of the East Herts Local Plan Second Review April 2007.

#### **3.0 Consultation Responses:**

- 3.1 Affinity Water advises that the site lies within the Causeway Pumping

Station Groundwater protection zone where construction works and operation of the proposed development should be done in accordance with the relevant British Standards and Best Management Practices in order to significantly reduce the ground water pollution risk.

**4.0 Town Council Representations:**

4.1 Bishop's Stortford Town Council object to the proposal on the grounds of overshadowing; loss of light and loss of privacy to neighbour amenity and its large size.

**5.0 Other Representations:**

5.1 The application has been advertised by way of discretionary site notice and neighbour notification.

5.2 2 letters of representation have been received which can be summarised as follows:

- The development would reduce the light received by and would overlook No27 Cedar Park and No19 Broadleaf Avenue;
- The proposed extension would be of a size, siting and cumulative length with the existing dwelling that would result in a substantial two and one storey elevation in very close proximity to No27 Cedar Park's rear boundary.

**6.0 Policy:**

6.1 The relevant Local Plan policies in these applications include the following:

ENV1 Design and Environmental Quality  
ENV5 Extensions to Dwellings  
ENV6 Extensions to Dwellings – Criteria

6.2 In addition, the National Planning Policy Framework is of relevance to the consideration of the application.

**7.0 Considerations:**

Principle of Development

7.1 The application site is located within the built up area of Bishop's Stortford wherein, in principle, there is no objection to development. Proposed extensions to dwellings will be assessed with regard to

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Policies ENV1, ENV5 and ENV6 of the Local Plan. The former policy requires that development meets a high standard of design and layout. Policy ENV5 states that permission will be granted for extensions provided that the character, appearance and amenities of the dwelling and any adjoining dwellings would not be substantially affected to their detriment. Policy ENV6 states that extensions should be to a design and choice of materials either matching or complementary to the original building.

- 7.2 It is important to note that the two storey extension within this proposal has been reduced by 3 metres (from 5.5 metres to 2.5 metres), from the extension previously refused permission within LPA reference 3/12/0745/FP. The ground floor element has also been reduced by 0.8 metres. It is considered that such a reduction in the length of the proposed extensions is a meaningful reduction such that the proposal, particularly the two storey element, would now be in keeping with the character and appearance of the main dwelling and would be proportionate in relation to the existing dwellinghouse. Whilst the proposed extensions would extend beyond the front elevation of the dwelling and would therefore be visible from within the street scene, taking into account the siting of the existing dwelling in the corner of a small cul-de-sac, the modest 2.4 metre length of the proposed two storey element; the appropriate design of the proposal and that it would still retain some 7 metres to the end of the driveway, it is not considered that the proposed extension would be a prominent addition to the street scene that would have a harmful impact upon the character and appearance of the area or appear cramped within the plot.
- 7.3 The proposed extension would therefore be modest in size and scale in relation to the existing dwelling, and taking into account that the roof of the 2 storey extension would be set down from the main roof ridge line of the existing dwellinghouse, it is Officers opinion that the extension would appear subservient to the main dwelling.
- 7.4 Taking into account the above considerations, the proposed development is therefore considered to be of a size, scale, siting and design such that it is in keeping with the character and appearance of the existing building and the locality, in accordance with policy ENV1 of the Local Plan. The first reason for refusal under LPA reference 3/12/0745/FP has therefore been sufficiently addressed and overcome.

#### The impact on the amenities of neighbouring residential occupiers

- 7.5 Turning to neighbour amenity, the comments and objections raised

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from the occupiers of the dwelling sited to the west of the application site, No 27 Cedar Park have been noted. Officers raised concerns within LPA ref. 3/12/0745/FP that the previously proposed two storey extension would, due to its cumulative length with the existing dwelling, result in a substantial two storey flank elevation in close proximity to the western boundary of the site that would be detrimental to the outlook of No.27 Cedar Park. It is acknowledged that the proposed two storey and single storey extensions would still extend beyond the front elevation of No.21 and would be sited parallel to the end of No.27 Cedar Park's rear garden.

- 7.6 In relation to the single storey element, this is proposed to be a maximum of 4.5 metres in height, with the eaves height proposed to be 2.5 metres. Having regard to the single storey height of this element of the extension, that the roof would pitch away from the rear of No.27 Cedar Park and that a boundary treatment of up to 2 metres in height could be erected under permitted development, it is considered that this element of the proposal would not result in any significant harm to the amenities of the residents of No.27, particularly in relation to the impact on their outlook.
- 7.7 Turning now to the two storey element this is now proposed to project only 2.5 metres beyond the front elevation and would be set down from the roof ridge line of the main dwellinghouse. Some 13 metres would be retained to the rear building elevation of No.27. Whilst the proposed extension will result in a change to the outlook from No.27 having regard to the above and in particular the limited depth of the two storey element of the extension, it is no longer considered that the proposed extension would create an unacceptable impact upon the amenity of the occupiers of No.27 Cedar Park in relation to outlook. It is therefore considered that the second reason for refusal on the previous application has also been overcome.
- 7.8 The application proposes a new window at first floor level in the existing west facing elevation. This window would serve an en-suite. It is assumed that this window would therefore be obscure glazed although this is not detailed on the submitted plans. For clarity therefore, it is recommended that any permission granted is subject to a condition requiring this window to be obscure glazed, to safeguard the amenity of nearby residential properties.
- 7.9 The application also proposes a roof light in the west facing roof slope of the two storey element of the extension. Having regard to the size of this window and its height, it is considered that it would not result in any unacceptable degree of overlooking to nearby residential properties.

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7.10 The concerns raised by No.19 Broadleaf Avenue have been acknowledged. Having regard to the 22 metre distance the proposed development would retain to the front building line of No.19, the modest 2.5 metre length of the proposed two storey extension and the single storey height of part of the extension, Officers do not consider that the proposed extension would create a harmful impact upon the amenity of the occupiers of No.19 from loss of light, outlook or similar.

### **8.0 Conclusion:**

8.1 Taking into account the modest proportions of the proposed development, particularly the two storey element, the amendments made to LPA reference 3/12/0745/FP and for the reasons outlined above, it is recommended that planning permission be granted subject to the conditions referred to at the head of this report.