

5j **3/10/2027/FP - Two storey side extension at 47 Amwell End, Ware Herts SG12 9JE for Councillor T Milner**

Date of Receipt: 16.11.2010

Type: Full - Other

Parish: WARE

Ward: WARE - CHADWELL

RECOMMENDATION

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

1. Three Year Time Limit (1T12)
2. Approved Plans (2E10) TM/10/PL/01 A; TM/10/PI/02
3. Matching Materials (2E13)
4. Replacement Tree planting (4P15)

Directives:

1. Other Legislation (01OL)

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 the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies ENV1, ENV2, ENV5, ENV6, ENV11 and BH5. The balance of the considerations having regard to those policies and the previous appeal decisions on LPA refs: 3/95/1683/FP, 3/95/1684/FP and refs: 3/00/0073/FP and 3/0074/LB is that permission should be granted.

_____ (202710FP.SD)

1.0 Background

- 1.1 The application site is shown on the attached OS extract.
- 1.2 The site is located on the edge of Ware town centre within a wedge of land between the railway line and the New River. It is accessed off Amwell End by a shared drive which serves two listed buildings (43 and 47 Amwell End) in addition to the application property and its adjoining property, number 49

3/10/2027/FP

Amwell End. The dwelling is a weather boarded two-storey, semi-detached house with associated parking space, approved on appeal in 2001.

- 1.3 The dwelling is situated within a generous garden area, with a mature established landscaped boundary to the site, enclosed with fencing and railings. A mature sycamore tree is located at a distance of 6m to the north east of the dwelling with another smaller sycamore located 6m from the northern elevation of the dwelling. To the north of the site across the railway line is the mainline station for Ware.
- 1.4 Located to the west of the application site, as mentioned above, are two Grade II Listed Buildings, Chadwell House, and Chadwell Lodge situated within small garden curtilages. All the properties are served by the narrow unclassified drive that leads to an allocated parking area to the rear of Chadwell Lodge, with provision for 6-8 parking spaces.
- 1.5 The application seeks permission for a two storey side extension to the property. This would be some 4.0m in depth, following the profile of the existing dwelling. It would include a second roof dormer to the rear and front rooflights, and is proposed to be constructed in matching materials.
- 1.6 The extension would provide additional accommodation at ground floor with an enlarged living/dinning area and additional bedroom at first floor.
- 1.7 The existing garden area is laid to lawn with boundary shrubs and access pathways. A distance of approximately 2.8m would be retained between the proposed extension and the northern boundary of the site, although the proposed extension would encroach within the RPZ's (Root Protection Zone's) of the mature trees on the north and north-eastern boundary of the site.
- 1.8 A main sewage pipe runs along the rear of the dwelling adjacent to the eastern boundary with a safeguarding area restricting development approximately 3.0m from the pipeline

2.0 Site History

- 2.1 There is a significant planning history to the site as set out below:-
 - 3/95/0486/FP Erection of three dwellings - Refused
 - 3/95/0488/FP - Division of house into two houses: amended scheme. Approved

3/10/2027/FP

- 3/95/0916/LB Division of existing house into two houses - Approved
- 3/95/1683/FP Erection of dwellinghouse Refused, Joint Appeal: Dismissed December 1996
- 3/95/1684/FP Erection of two dwellings Refused, Joint Appeal: Dismissed
- 3/00/0073/FP Conversion of existing listed building into four dwellings and construction of 2 flats, Appeal against non-determination: Allowed March 2001
- 3/00/0074/LB Alterations and conversion into four dwellings and demolition of part single storey structure, Appeal against non-determination: Allowed March 2001
- 3/02/2411/FP Construction of two semi-detached dwellings - Approved

3.0 Consultation Responses

- 3.1 The Council's Landscape Officer has recommended approval commenting that there are two proximity sycamore trees, the root protection zone's of which fall within the proposed footprint of the extension. However the tree in the rear garden has a severely decayed hollow main stem and so is not suitable for retention. The other sycamore is in poor condition with low crown vigour and obvious signs of basal decay. Due to the low estimated remaining useful life expectancy for these trees he does not advise refusal on the basis of the impact of the development on trees. Using the Tree Evaluation method for Tree Preservation Orders neither of these trees meets the criteria for making a TPO. It is unfortunate that the footprint for the proposed extension is such that the position of the building to these trees is likely to (or will) necessitate their removal. However a refusal cannot be recommended on the loss of these trees due to their poor condition.

4.0 Town Council Representations

- 4.1 Ware Town Council cannot comment on the application as the applicant is a fellow councillor.

5.0 Other Representations

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

5.2 No letters of representation have been received

6.0 Policy

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

ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV5	Extensions to Dwellings
ENV6	Extensions to Dwellings: Criteria
ENV11	Protection of Existing Hedgerows and Trees
BH5	Extensions and alterations to Unlisted Buildings in Conservation Areas

7.0 Considerations

7.1 The determining issues in this case relate to the impact of the extension on the character and appearance of the dwelling, (policy ENV1 and ENV5); the loss of existing trees (ENV2 and ENV11); and the impact of the proposed two storey side extension on the character and appearance of the Conservation Area (BH5) wherein the site is located.

7.2 It should be noted from the planning history of the site that careful consideration was given to the siting and size of these two dwellings when they were originally permitted and to the impact of the development on the openness and character of the surrounding area. Officers have therefore fully considered this history and paid particular attention to the character and appearance of the property and its surroundings within the Conservation Area.

Character and Appearance

7.3 Policy ENV1 requires that all development proposals, including extensions to existing dwellings will be expected to be of a high standard of design and layout and reflect local distinctiveness. It should be compatible with the surrounding area, complimenting the existing street pattern, respecting neighbour amenity and minimising loss and damage of any important landscape features.

7.4 The proposed side extension in this case would project 4.0m out from the northern elevation of the dwelling (which has an existing width of 7.0m). It would follow the existing front and rear buildings lines, with a continuous pitched roof, matching fenestration, and additional matching rear dormer

3/10/2027/FP

with additional front rooflights constructed in materials that match the existing dwelling.

- 7.5 Due to the siting of the dwellings, situated to the rear of the listed buildings and their curtilages and the established landscape character of the tree boundaries, the property is not viewed from the public highway at Amwell End. Neither would the extension be prominent or viewed from London Road through the mature tree boundary to the south across New River, as the proposed extension is located on the northern elevation of the dwelling.
- 7.6 There would be limited views of the proposed extension from the railway line and Ware station which lies to the north, some 24m from the site. There are no windows on the end elevation of the proposed extension facing the northern boundary and a gap of 2.8m of garden amenity space is retained between the proposed extension and the northern boundary of the site.
- 7.7 The extension constitutes a sizeable addition to the existing dwelling, increasing the footprint and volume by approximately 50% over the original dwelling. However, its design would respect the form, character and appearance of the existing dwelling and officers do not consider that it would be detrimental to the character or appearance of the surrounding area or to the setting of the nearby listed buildings.
- 7.8 Whilst the symmetrical appearance of the property would be affected to some degree by the proposed extension, Officers do not consider that this would be so harmful to its appearance, or to that of the surrounding area, as to warrant the refusal of planning permission.

Impact on Trees

- 7.9 The application site has an established landscape character, with mature trees and planting to the boundaries including notable trees.
- 7.10 The proposed two storey side extension would be sited within the Root Protection Zone's of two adjacent sycamore trees, and these trees would be significantly affected by the proposal adversely impacting on their long term sustainability and subsequently likely to result in their demise.
- 7.11 The Landscape Officer comments, however that following inspection on site, the sycamore tree on the northern boundary is severely decayed with a hollow main stem, and is not suitable for retention. The larger sycamore to the front of the site has had basal branches removed from the trunk which has lead to basal decay; the tree has low crown vigour and a low estimated life expectancy. Neither of the trees would meet the criteria for a Tree Preservation Order due to their present poor condition.

- 7.12 As the Landscape Officer comments, it is unfortunate that the footprint for the proposed extension is such that the trees are likely to require removal in the longer term. However, refusal of planning permission cannot be justified on these grounds in view of the existing condition of the trees, the Landscape Officer therefore has no objections to the proposal and recommends that permission is granted subject to a requirement to provide replacements tree planting.

Impact on the Conservation Area

- 7.13 The site is located within the Ware Conservation Area, where in accordance with policy BH5 extension proposals are expected to enhance and preserve the character and appearance of the Conservation Area. As such it is Officers opinion that the proposed two storey side extension would by reason of its design, scale and siting, would preserve the existing status of the Conservation Area; would not appear cramped or overdeveloped due to the depth of space retained around the dwellings nor appear unduly intrusive within the site. Together with the recommended tree replacement, the proposal would enhance the character and appearance of the site and preserve the character of the Conservation Area.

8.0 Conclusion

- 8.1 The proposed two storey side extension would, in the Officers' view not conflict with the aims and objectives of policies BH5, ENV1 and ENV5. Furthermore it would not be detrimental to the amenities of the neighbouring dwellings.
- 8.2 The proposed development would form a sympathetic extension to the existing dwelling, would not adversely impact on the adjoining property or the general locality, or detract from the status of the Ware Conservation Area. With opportunities for replacement tree planting, the character and appearance of the site would be likely to be enhanced and the historic landscape character of the locality preserved.
- 8.3 Having regard to the above considerations it is recommended that planning permission is granted subject to the conditions suggested at the head of this report.