

**5r 3/11/0333/FP - Two storey side extension, raise roof to provide first floor accommodation and insertion of front and rear dormer windows at 131A, Hadham Road, Bishop's Stortford, CM23 2QD for Mr B Jaggers**

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**Date of Receipt:** 28.02.11

**Type:** Full – Other

**Parish:** BISHOP'S STORTFORD

**Ward:** BISHOP'S STORTFORD - SILVERLEYS

**RECOMMENDATION:**

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

1. Three Year Time Limit (1T12)
2. Approved Plans (2E10)  
"p01; p02; p05a; p06b; p07b; p08a; p09b; p10b; p11b"
3. Tree retention and protection (4P05)
4. Tree protection: restrictions on burning (4P08)
5. Tree protection: excavations (4P09)
6. Trees: protection from foundations (4P20)

**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, ENV5, ENV6, ENV11 and TR7. The balance of the considerations having regard to those policies and the considerations of LPA ref: 3/10/1019/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. It is located within the built up area of Bishop's Stortford.
- 1.2 The existing dwelling is a bungalow of modest proportions, which is one of three dwellings within a cul-de-sac sited to the end of a long access

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road from Hadham Road. The neighbouring dwellings within this cul-de-sac are number 131 Hadham Road, which is a two-storey dwelling dating probably from the mid to late 19<sup>th</sup> Century, and number 131b Hadham Road, which is a large modern bungalow. Number 131b Hadham Road was developed under planning references 3/02/1536/OP and 3/03/1480/RP.

- 1.3 The existing dwelling is uniform in appearance with a gabled dual pitched roof running the length of the building, a small gabled section projecting forward, and a flat roofed section running the length of the building to the rear. The existing building is of a size and scale that offers a comfortable relationship with the neighbouring dwellings of 131 and 131b Hadham Road. Although number 131 Hadham is a two storey dwelling and numbers 131a and 131b are single storey, neither dwelling dominates the site allowing for a spacious characteristic, which is common within the surrounding built form.
- 1.4 The neighbouring dwellings, number 8 Maple Avenue and number 131b Hadham Road have protected trees within close proximity of the application site. The tree within closest proximity to this site is a mature Oak within the grounds of 8 Maple Avenue, just on the outside of the southwest boundary of the application site. This tree was protected with a Tree Preservation Order on 14<sup>th</sup> July 2010, due to its specific amenity value.
- 1.5 The application seeks planning permission for the removal of the existing pitched and flat roofs, and their replacement with a simple hipped, dual pitched roof that is capped with an area of flat roof measuring 32m<sup>2</sup>. The proposal also includes a side extension; dormers to the front and rear elevations; roof lights on all four pitches, and finally a porch extension. The single storey side extension measures 4.7 metres in width, and with a depth reflecting that of the existing dwelling. The proposal involves an overall increase in height of the dwelling of approx 2.0 metres, to a maximum of 6.4 metres to the flat roof. The eaves height of the resultant dwelling will be at 2.5 metres, matching that of the existing building. The roof form proposes to have four gabled dormers equally spaced on the front elevation, measuring 1.2 metres in width and 2.2 metres in height. The front elevation also includes two roof lights. Both flank (north and south) hipped elevations includes a roof light in each. Finally, the rear elevation (west) includes three dormers measuring 2.8 metres in width, 1.8 metres in height, and spaced equally on the roof form. Two roof lights are also proposed on the rear elevation; each positioned between the dormers.

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### **2.0 Site History:**

- 2.1 In 2003 a double garage was approved (LPA ref: 3/03/0049/FP) to be sited to the south and rear of the dwelling. This approved garage was to be sited an estimated 1 metre from the flank wall of the dwelling and would have a ridge height of 4.5 metres to match that of the existing dwelling. This approved garage was never constructed.
- 2.2 In 2010 (LPA ref: 3/10/1019/FP) an application for a two storey side extension and the raising of the roof to provide first floor accommodation with an addition of front, side and rear extensions was refused for the following reasons:
1. The proposed development by reason of its size, scale and massing would result in a dwelling of excessive proportions uncharacteristic to the surrounding built form and detrimental to the character and appearance of the locality. The proposal is thereby contrary to policies ENV1, ENV5 and ENV6 of the East Herts Local Plan Second Review April 2007.
  2. Insufficient information has been submitted to enable the Local Planning Authority to fully assess the impact of the proposed extension on the long term health and retention of an oak tree which is of significant amenity value and is subject of a Tree Preservation Order.
- 2.3 This previously refused application proposed to remove the existing pitched and flat roofs and replace them with a dual pitched roof at an increase in height of 2.4 metres to create a total ridge height of 6.8 metres. A two-storey side extension was also proposed to the southern flank elevation of the original dwelling. The ridge was to run perpendicular to the remaining dwelling and at a height the same as the remaining dwelling (6.8 metres). The total width of this two-storey extension was to be 8.94 metres increasing the overall width of the dwelling to 26.5 metres. The depth of the extension was to be 15.09 metres, which would result in a two-storey gabled section protruding 5.7 metres to the rear. A total of seven dormers were proposed for the new roof. Three single dormers were proposed to the front elevation and two double and one single dormers were proposed for the rear elevation. One small dormer was proposed for the roof slope of the two-storey side extension. All of the dormers were centrally located within the roof slope.
- 2.4 The current application seeks permission for a reduced scheme to

overcome this previous refusal.

**3.0 Consultation Responses:**

- 3.1 County Highways does not wish to restrict the grant of permission and comment that the site is accessed from a private driveway off Hadham Road. There is ample space within the site for parking and turning of vehicles. They comment that the proposal makes use of the existing vehicle access and traffic generation is unlikely to alter.
- 3.2 The Council's Landscape Officer recommends consent for this application subject to conditions relating to tree retention and protection. The Officer offered further comments relating to the off site oak tree subject of a Tree Preservation Order (TPO 555) and that the Root Protection Area (RPA) is just outside the footprint for the proposed foundations and structure. It is suggested that a tree protection plan, to include this tree, as well as a method statement etc should be provided and this can be covered by a suitable planning condition to be complied with prior to commencement of the construction phase of development (if approved). In summary, the Officer suggests that this proposal is non contentious in landscape terms – subject to approved tree protection measures.

**4.0 Town Council Representations:**

- 4.1 Bishop's Stortford Town Council objects to this application for the following reasons:
- Overlooking the downstairs and lounge of neighbouring properties;
  - Loss of privacy in all rear windows and gardens in Dane Acres and surrounding houses;
  - Overdevelopment of site;
  - Roof increase is overbearing; and
  - Subsidence issues may occur, disturbance of land could be detrimental to other properties.

**5.0 Other Representations:**

- 5.1 The application has been advertised by way of press notice, site notice and neighbour notification.
- 5.2 Three letters of representation have been received which can be summarised as follows:

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- Loss of privacy;
- Impact upon character of locality;
- concern with regard to TPO trees;
- overshadowing impact;
- intrusive appearance; and
- negative affect on the immediate environment

### **6.0 Policy:**

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

ENV1	Design and Environmental Quality
ENV5	Extensions to Dwellings
ENV6	Extensions to Dwellings – Criteria
ENV11	Protection of Existing Hedgerows and Trees
TR7	Car Parking - Standards

### **7.0 Considerations:**

7.1 The determining issues in relation to this application are:

- Principle of development – Size, scale, siting and design
- Impact on surrounding amenity
- Landscape matters - TPO
- Highways matters

#### Principle of development – Size, scale, siting and design

7.2 Officers have noted that this amended scheme offers a reduction in size and scale over that previously refused (LPA ref: 3/10/1019/FP). The height has been reduced by approximately 0.5 metres. The length of the ridge line has been reduced by 6 metres. It is also noted that the extension's footprint has been reduced by about a third, resulting in a reduction in massing. It is noted that this proposal would result in a property of a similar size, scale and form to number 131b Hadham Road (Approved in 2003).

7.3 It is considered that this reduction in size, scale and massing, particularly with regard to the reduction in the size of the side extension and the introduction of the hipped roof form, overcomes the previous reasons for refusal. It is Officers opinion that the reduction in massing of the roof, together with the reduction of the two-storey side extension, results in a dwelling that now respects the character and appearance of

the surrounding built form. It is noted that the ridge height and form of the proposed extended dwelling will be similar to that of the neighbouring 131b Hadham Road.

- 7.4 The application site is on elevated land and on a more open aspect and will therefore be more visually apparent within the cul-de-sac. However, in considering the reduction in the size, scale and massing of the resultant dwelling, it is Officers opinion that this proposal results in a dwelling that respects the character of the surrounding built form and the character and appearance of the locality. The proposal has therefore overcome the initial reason for refusal of the earlier application and is thereby in accordance with policies ENV1, ENV5 and ENV6 of the East Herts Local Plan Second Review April 2007.

Impact on surrounding amenity

- 7.5 Officers have considered the objections raised by the occupants of the neighbouring dwellings and have considered the concerns relating to loss of privacy and overbearing impacts. The amendments to the size, scale and design of this proposal have been noted and have been compared to the previously refused scheme. Officers acknowledge the concern of the occupants of the neighbouring dwellings since their dwellings are currently not overlooked. However, it is considered that the resulting relationship is an acceptable one in planning terms and one which would not result in any significant loss of privacy to nearby properties. Indeed, the resulting relationship between the dwellings is one which is common within many built up areas. In considering the above, Officers recommend that this proposal is in accordance with the amenity considerations of policy ENV1 of the Local Plan.

Landscape matters - TPO

- 7.6 The previous application was also refused due to insufficient information being submitted to enable the Local Planning Authority to fully assess the impact of the proposed extension on the long term health and retention of an oak tree which is of significant amenity value and is subject of a Tree Preservation Order (TPO 555). Due to the reduction in size, scale and massing of the scheme and subject to conditions, the Landscape Officer considers that this current proposal would be unlikely to cause any long term harm to the protected tree and would therefore overcome this previous reason for refusal. In considering the above Officers recommend that this proposal is in accordance with the amenity considerations of policy ENV11 of the Local Plan.

Highways matters

7.7 With regard to the comments received from County Highways it is considered that this proposal offers sufficient parking and vehicle turning facilities in accordance with the standards as set in Policy TR7 and Appendix II of the Local Plan.

**8.0 Conclusion:**

8.1 In summary, Officers consider that this scheme of extensions and alterations to the above dwelling is sympathetic to the character and appearance of the surrounding built form. The proposal would not cause any significant harm to the amenities of the occupants of the neighbouring dwellings. Finally, the proposal, with conditions relating to a satisfactory tree protection scheme, will not be harmful to the adjacent protected tree.

8.2 It is therefore recommended that planning permission be granted in this case subject to the conditions suggested at the head of this report.