

5t E/11/0020/B - Unauthorised erection of a second storey rear extension at 15 London Road, Hertford, SG13 7LE

Parish: HERTFORD

Ward: HERTFORD CASTLE

RECOMMENDATION:

That the Director of Neighbourhood 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 further steps as may be required to secure the removal of the unauthorised development from the land.

Period for compliance: 6 Months.

Reason why it is expedient to issue an enforcement notice:

1. The development by reason of its height, scale and design has an overbearing appearance and is out of keeping with and detrimental to the character and appearance of the dwelling, the pair of dwellings of which it forms part, the street scene and fails to take the opportunities available for improving the character and quality of the area contrary to saved policies ENV1, ENV5 and ENV6 of the East Herts Local Plan Second Review April 2007 and national planning guidance in PPS1 'Delivering Sustainable Development' para 34.

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1.0 Background:

- 1.1 The site is shown on the attached OS extract. It forms one of a pair of Victorian semi-detached houses and is situated at the junction with Old London Road, next to the fire station.
- 1.2 In January 2011 a concern was expressed to the Authority that there were works underway to extend the property without the benefit of planning permission.
- 1.3 The enforcement officer visited the site on 28th January 2011 and noted that the building had roofed scaffolding around and above it. The scaffolding was fully sheeted to the side and rear. The enforcement officer spoke to the owners who had considered that the works were permitted under Class B of Part 1 of Schedule 2 to The Town and Country Planning (General Permitted Development) Order 1995 (as

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amended); roof alterations.

- 1.4 The works consisted of the removal of the roof of the rear wing of the property, the building up of the exterior walls of the property by about 1.5 metres to add a further storey to the property, the increase in height (by about 0.35m) of a parapet wall between the property and the attached dwellinghouse at number 17 and the creation of a new roof, part flat roofed and part pitched.
- 1.5 Officers considered that the works were not authorised by the terms of Class B of the Order and were also not permitted by any other Class of it. The enforcement officer wrote to the owners informing them of this, advising them that planning permission was required for the works and that all works must continue at their own risk.
- 1.6 The owners submitted a retrospective planning application (3/11/0277/FP) seeking permission for the development, which was validated on 1st March 2011. This was refused by officers under delegated powers on 6th April 2011.
- 1.7 A further visit by the enforcement officer on 14th April 2011 showed that external works had been completed and the scaffolding removed. In the photographs of the extended building, the works are apparent by the change in brick colour, with the previous eaves height of the rear wing identified by the dentil course of red brickwork above the first floor flank window.
- 1.8 Photographs of the site will be available at the meeting.

2.0 Planning History:

- 2.1 The most relevant planning history for the site can be summarised as follows:

3/07/2231/FP	New vehicular access and dropped kerb.	Refused.
3/08/0631/FP	New vehicular access and dropped kerb.	Approved.
3/11/0277/FP	Second floor rear extension and insertion of roof lights.	Refused.

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3.0 Policy:

3.1 The relevant saved policies of the adopted Local Plan in this matter are:

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

4.0 Considerations:

4.1 The determining issues in this case relate to the height, scale and design of the unauthorised development and its impact on the character and appearance of the building and its surroundings.

4.2 The development has resulted in the raising of the roof of the existing dwelling by 2.3m high over a length of 11m to create an additional floor level on the side and rear of the property to create an additional bedroom and playroom. This creates a bulky and overly dominant structure that significantly detracts from the traditional symmetry of the Victorian semi-detached properties, of which it forms a part.

4.3 The development also removes decorative details from the building and makes it bulky and unduly conspicuous within the surrounding street scene to the detriment of the character and appearance of the area.

5.0 Recommendation:

It is therefore recommended that authorisation be given to issue and serve a Planning Enforcement Notice requiring the removal of the unauthorised development and the reinstatement of the building to its former condition.