

**3/10/1890/FP – Replacement two-storey dwelling at 232 Hertingfordbury Road, Hertingfordbury, SG14 2LB for MJL Developments Limited**

**Date of Receipt:** 22.10.2010

**Type:** Full – Minor

**Parish:** HERTFORD

**Ward:** HERTFORD – CASTLE

**RECOMMENDATION:**

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

1. Time limit (1T121)
2. Approved plans (2E102) 1, 2, 3, 4, 5 and 6
3. Samples of materials (2E123)
4. Prior to any building works being first commenced, detailed drawings of the windows including a section of the glazing bars and frame moulding (if applicable), which it is proposed to install, clearly showing the position of the window frame in relation to the face of the wall, depth of reveal, arch and sill detail shall be submitted to, and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with those approved details.

**Reason:** To ensure the historic and architectural character of the building is appropriate to the character of the Hertingfordbury Conservation Area, in accordance with PPS5 – Planning for the Historic Environment and the accompanying Historic Environment Planning Practice Guide.

5. Prior to any building works being first commenced, detailed drawings including sections, showing the doors which it is proposed to install, together with a detailed description or specification, shall be submitted to, and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with those approved details.

**Reason:** To ensure the historic and architectural character of the building is appropriate to the character of the Hertingfordbury Conservation Area, in accordance with PPS5 – Planning for the Historic Environment and the accompanying Historic Environment Planning

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Practice Guide.

6. Prior to any building works being first commenced, detailed drawings showing the new brickwork and a precise specification and description of the brick – or a sample of 4 bricks to provide a representative range of the colour and texture of the brick – together with a specification of the mortar mix, pointing profile and finish, jointing width and the bond of the brickwork, shall be submitted to and approved in writing by the Local Planning Authority. Where required, a sample panel of the brickwork using the bond, mortar and jointing/pointing proposed, shall be provided and retained during building works as a reference for the new brickwork. The development shall be carried out in accordance with those approved details.

Reason: To ensure the historic and architectural character of the building is appropriate to the character of the Hertingfordbury Conservation Area, in accordance with PPS5 – Planning for the Historic Environment and the accompanying Historic Environment Planning Practice Guide.

7. All new or replacement rain water goods shall be in black painted cast iron unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the historic and architectural character of the building is appropriate to the character of the Hertingfordbury Conservation Area, in accordance with PPS5 – Planning for the Historic Environment and the accompanying Historic Environment Planning Practice Guide.

8. The presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the Local Planning Authority.

Reason: To ensure that adequate protection of human health, the environment and watercourses is maintained in accordance with PPS23 and policy ENV20 of the East Herts Local Plan Second Review April 2007.

#### Directives:

1. Other legislation (01OL1)
2. Groundwater protection zone (28GP1; Molewood)

**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 GBC1, HSG8, ENV1 and BH6 and Planning Policy Guidance 2 – Green Belts and Planning Policy Statements 3 – Housing and 5 – Planning and the Historic Environment. The balance of the considerations having regard to those policies and the other material considerations relevant in this case is that permission should be granted.

\_\_\_\_\_ (189010FP.MC)

**1.0 Background:**

- 1.1 The application site is shown on the attached OS extract. It is located within the Green Belt, and is also within the Hertingfordbury Conservation Area. Although it is in the built up area of the village, Hertingfordbury is identified as a Category 3 village wherein Green Belt policy restrictions apply.
- 1.2 The existing application property is a post-war bungalow occupying a site of approximately 0.24 hectares. It is set back from the road by around 20 metres, and is at an angle with the south east corner of the house closest to the road. It has a mix of flat and gently sloping roofs.
- 1.3 The bungalow is an unusual 20<sup>th</sup> Century building in the Conservation Area and therefore is of some merit but not of any architectural interest and of little historic interest.
- 1.4 The bungalow appears to have been vacant for some time. In part because of this, and also because it appears that it was originally of a relatively poor standard of construction, it is beginning to fall into disrepair, to the detriment of its visual appearance and that of the surrounding area.
- 1.5 The proposal seeks permission to demolish the existing bungalow and replace it with a 5 bedroom, two-storey house with varied eaves heights. The roof would feature a mix of hipped roofs and dormer windows. The first floor rooms would be contained within the roof space of the building.

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### **2.0 Site History:**

2.1 3/10/1891/LC – Demolition of bungalow – Approved December 2010.

### **3.0 Consultation Responses:**

3.1 Veolia Water have commented that the site lies within the groundwater Source Protection Zone for Molewood pumping station. All construction works should therefore accord with the appropriate British Standards and best practise guidance.

3.2 County Highways have no objection to the proposed development as it is considered unlikely to lead to additional traffic movements and there would be adequate parking and turning space on site.

3.3 Environmental Health have recommended a condition relating to the monitoring of the site for any unsuspected contamination during construction works. Other conditions recommended fall outside of the planning department's control and are covered by Environmental Health legislation.

3.4 Archaeology have no specific comment on the proposal as it is considered to be unlikely to have an impact on significant heritage assets

3.5 The Conservation Officer has commented that the scale, design and appearance of the replacement dwelling are all considered to be acceptable. The openness of the plot would be largely retained, and would remain an important aspect of the Conservation Area.

3.6 The Environment Agency have been consulted on the application. Their response will be reported to members at the committee meeting.

### **4.0 Hertford Town Council Representations:**

4.1 Hertford Town Council noted that the site is on the Mimram flood plain, and stated that they wished to see the openness of the site maintained.

### **5.0 Other Representations:**

5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.

5.2 Hertingfordbury Conservation Society comments that the existing

dwelling occupies a sensitive site within the village and deserves a carefully designed replacement. They consider that the proposal does not achieve this. The proposed dwelling, they consider does not resemble the 'typical 19<sup>th</sup> Century School House' it was intended to reflect and the hipped gables and central dormers are also uncharacteristic. The Society would prefer to see a well proportioned honest village house and preferably an application including garaging which otherwise will inevitably follow later.

## **6.0 Policy:**

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

GBC1 Appropriate Development in the Green Belt  
HSG8 Replacement Dwellings in the Green Belt and Rural Area beyond the Green Belt  
ENV1 Design and Environmental Quality  
BH6 New Developments in Conservation Areas

6.2 In addition, the following National policy guidance is relevant:

Planning Policy Guidance 2: Green Belts  
Planning Policy Statement 3: Housing  
Planning Policy Statement 5: Planning and the Historic Environment

## **7.0 Considerations:**

7.1 The principle considerations with regard to this development are firstly whether the proposal represents inappropriate development within the Green Belt, the quality of design of the proposed dwelling, and its appropriateness in the Hertingfordbury Conservation Area.

### **Inappropriate development in the Green Belt**

7.2 Policy HSG8 of the Local Plan states that, where a replacement dwelling is proposed in the Green Belt, the new house should be no larger than the existing dwelling, plus any unexpended 'permitted development' rights.

7.3 Although the existing house appears to retain its full 'permitted development' rights, the proposed dwelling would be significantly taller, with a pitched roof and additional floor, resulting in a much larger property.

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- 7.4 The existing building has a significantly larger footprint than the proposed replacement dwelling (approximately 180m<sup>2</sup> compared to the 140m<sup>2</sup> proposed) although the proposed house would be significantly taller, with two stories and a ridgeline 2.5m above the highest point of the existing roof. The existing house is wider than the proposed house would be, although this is primarily because of the garage located off the south-west corner of the building, and which is set well back from the front elevation.
- 7.5 While the proposed house would occupy a similarly central location on the plot to the existing, and would therefore retain much of the openness of the Green Belt, in terms of policy HSG8 the dwelling would be of greater volume and more visually intrusive. The development would therefore be contrary to policy.
- 7.6 The construction of a larger house would not therefore be in accordance with Green Belt policy, and very special circumstances are required to justify the grant of planning permission.

#### Design; Appropriateness within the Conservation Area

- 7.7 Officers consider that the proposed replacement dwelling would represent an improvement in terms of visual impact on the appearance and character of the Conservation Area. However, this decision is reached on balance, and with significant weight given to the poor appearance and condition of the existing house.
- 7.8 The proposed house features a mix of hipped roofs and dormer windows, with the first floor contained within the roofspace. Officers consider the design to be relatively generic. While it would be acceptable in terms of the character of the Conservation Area, there is limited explanation of the design in the applicant's submitted design documents that explain the overall design or any particular element of it with reference to the immediate surroundings.
- 7.9 Your officers consider that the proposed dwelling would be more prominent in the Hertingfordbury Road street scene. However, this would be mitigated by the significant set back from the road, which would be a minimum of 22m in comparison to the minimum of 20m at present.
- 7.10 On balance, officers consider that the proposed house would be an acceptable addition to the Hertingfordbury Road street scene. It would be of benefit to the Conservation Area, particularly with reference to the existing building. However, it is regretted that the opportunity has not been taken to propose a more locally distinctive individual design, or

one that has been clearly and carefully derived from the site context.

- 7.11 Within the Design and Access statement it is noted that a number of possible designs were considered before the present design was settled upon. It is unfortunate that these have not been presented for consideration or that the Council's views were not sought on the possible designs or alternative options.

## **8.0 Conclusion:**

- 8.1 The proposed development involves a replacement dwelling within the Green Belt. The house would be materially larger than the house it is replacing, and therefore constitute inappropriate development. However, officers consider there would be no material harm to the Green Belt from the proposed development. There are a number of material considerations that would make the development acceptable in this location, and which constitute very special circumstances sufficient to clearly outweigh the in-principle objection to the proposal.
- 8.2 There would be minimal impact on the openness of the Green Belt with the greater height offset by the pitched roof, and the house being set further back and appearing somewhat narrower on the plot. In addition, the appearance of the building would be a significant improvement on the existing property, and would be more appropriate within the Conservation Area.
- 8.3 With regard to the design, officers are able to accept that the proposed house would make a more positive contribution to the street scene and wider Conservation Area than the existing property. Although the development may not represent an outstanding piece of design, it is considered to be acceptable in this location.
- 8.4 For these reasons it is considered that there are very special circumstances to justify inappropriate development in the Green Belt. Subject to the conditions outlined at the head of this report and the receipt of any late representations, it is recommended that planning permission be granted for the proposed development.