

3/11/1230/FP – Raise roof and eaves, new dormer windows, first floor rear extension and front canopy at 19 Gypsy Lane, Great Amwell, SG12 9RL for Mr John Kessler.

Date of Receipt: 11.07.2011

Type: Full – Other

Parish: GREAT AMWELL

Ward: GREAT AMWELL

RECOMMENDATION:

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

1. Three year time limit (1T12)
2. Approved Plans (2E10 – 732/1A, 732/5, 732/6A)
3. Materials of construction (2E13)
4. No works or development shall take place until full details of soft landscape proposals along the southwest boundary of the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate: (a) Planting plans (b) Written specifications (including cultivation and other operations associated with plant and grass establishment) and (c) Schedules of plants, noting species, planting sizes and proposed numbers/densities.

Reason: To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policy ENV2 of the East Herts Local Plan Second Review April 2007.

5. Landscape works implementation (4P13)

Directive:

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 SD2, GBC1, TR7, ENV1, ENV2, ENV5, ENV6, ENV11, OSV2, and PPS1 and PPG2. The balance of the considerations having regard to those policies is that permission should be granted.

1.0 Background:

- 1.1 The application site is shown on the attached OS extract and comprises a detached residential dwelling set back some 35m from the road - further than any other property in the lane. Gypsy Lane is a semi-rural single track lane characterised by a mix of single storey, chalet style, and two storey detached dwellings. The dwellings are not set back by a uniform distance from the lane; nor are the plots of a uniform size.
- 1.2 The dwelling is currently a dormered bungalow with a detached rear annex, and a detached garage located near the front boundary. This application proposes to extend the existing first floor accommodation by raising the roof and providing new dormer windows. A previous application for larger extensions was refused and dismissed at appeal (3/10/1402/FP); a copy of the Inspector's decision is attached as Appendix A to this report.
- 1.3 The application has been referred to Committee at the request of Councillor Mayes.

2.0 Site History:

- 2.1 Planning permission was previously refused for first floor extensions to the dwelling and dismissed at appeal (reference 3/10/1402/FP). The Inspector concluded that the two storey design of the dwelling would result in a dwelling that would have a 'much more imposing presence in the street scene'. He also considered that a harmful overbearing impact would arise to No. 21 Gypsy Lane.
- 2.2 The building was originally single storey and permission was granted in 1982 for front and side extensions and the addition of 5 no. dormer windows (reference 3/82/0994/FP). Permission was then granted for a further bedroom extension with dormer windows in 1993 under reference 3/92/1563/FP. Soon after, a single storey rear extension was granted, along with the change of use of an existing garage to form an annex (reference 3/93/0534/FP). In 1994 a new detached garage was granted consent (3/94/0643/FP) located towards the front boundary of the site. And finally in 2006, an extension was granted for the annex (3/06/1940/FP).

3.0 Consultation Responses:

- 3.1 County Highways do not wish to restrict the grant of permission. They comment that the property is set well back from the highway boundary leaving ample space for adequate vehicle parking and turning. Use of the existing point of access onto the public highway is proposed and traffic generation is unlikely to change.
- 3.2 At the time of writing this report, no response had been received from the Council's Landscape Officer.

4.0 Parish Council Representations:

- 4.1 Great Amwell Parish Council object to the application on the grounds that the proposal represents an overdevelopment of the site, is visually intrusive in the street scene and would be detrimental to the visual amenity of the adjoining property. The latest proposed development is similar to a previous application that was refused planning permission (3/10/1402/FP). Although the latest proposal provides for a reduced roof level height, it still represents unacceptable development in terms of its impact on the street scene and the living conditions of occupiers of an adjoining property (No. 21). The Parish Council reaffirms its concern over the potential proliferation of buildings at this site – as detailed in its letter of 13 September 2010.

5.0 Other Representations:

- 5.1 The application has been advertised by way of discretionary site notice and neighbour notification.
- 5.2 1 no. letter of representation has been received from 21 Gypsy Lane which can be summarised as follows:
- The scheme appears to be virtually identical to a scheme already rejected at appeal;
 - Overbearing and loss of amenity to No. 21 – the new scheme fails to address the issues raised by the Inspector;
 - Some of the planting along the side boundary will have to be removed and no amount of planting would be able to hide the visual impact of the two storey flank wall;
 - Due to the size of the extensions and orientation of the site, there will be loss of light to the garden and house of No. 21;
 - Overlooking from proposed bedrooms 3 and 5 to No. 21 which would be exaggerated by loss of boundary planting;

3/11/1230/FP

- Two storey dwelling with a front gable will still not meet the requirements of policy ENV1 – neighbouring properties are either single storey or dormer bungalows;
- Overdevelopment of the site – the original 2 bedroom bungalow has been extended time and time again so it is now a 4 bed bungalow with a 3 bed annex. The proposal would make it an 8 bed property with a first floor study that could be used as another bedroom.

6.0 Policy:

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

SD2	Settlement Hierarchy
GBC1	Appropriate Development in the Green Belt
TR7	Parking Standards – Residential
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV5	Extensions to Dwellings
ENV6	Extensions to Dwellings - Criteria
ENV11	Protection of Existing Hedgerows and Trees
OSV2	Category 2 Villages

6.2 In addition to the above it is considered that Planning Policy Statement 1, 'Delivering Sustainable Development', and Planning Policy Guidance 2 'Green Belts' are considerations in determining this application.

7.0 Considerations:

Principle of Development

7.1 The site is considered to lie within the built-up area of Great Amwell, a Category 2 Village, wherein residential extensions are acceptable in principle in accordance with policies GBC1 and OSV2. The main issues in this case therefore relate to the impact of the proposal on the character and appearance of the existing dwelling, surrounding area and neighbour amenity, having particularly regard to the previously dismissed appeal (reference 3/10/1402/FP).

Scale and Design

7.2 The previously dismissed extensions related to a full scale two storey dwelling with the windows designed to sit under the eaves. It was proposed to increase the eaves by 2.5m in height (from 2.7m to 5.2m), and the main ridge by 1.3-2.3m (from 6.2m to 7.5m for the main roof,

3/11/1230/FP

and 8.5m for the front gable and rear hip). The Inspector concluded that the two storey design would result in a dwelling that would have a 'much more imposing presence in the street scene'.

- 7.3 Although there are some two storey dwellings in other parts of Gypsy Lane, the neighbouring properties in this case are either single storey or chalet bungalows. The Inspector therefore concluded that "the increased height of the appeal property, along with the relatively narrow width of the front elevation facing Gypsy Lane and the extent of the set back from the road (which already paradoxically draws attention to the property), would underline the extent to which it would be out of keeping with neighbouring dwellings." The proposal was therefore considered to have an adverse impact on the street scene of this part of Gypsy Lane.
- 7.4 This revised application proposes a reduced height development with dormer windows cutting through the eaves, and with two storey front and rear gables with windows in the eaves. Pre-application advice has been sought from Officers prior to this re-submission.
- 7.5 It is now proposed to increase the eaves by 1.2m in height (to 3.9m), and the ridge by 0.4-1.5m (to 6.6m for the main roof, and 7.7m for the front and rear gables). Although the front and rear gables will still create a two storey appearance, the reduced height eaves and use of dormer windows is considered to be more in-keeping with the character of the rest of this part of Gypsy Lane. Further, the front gable is not considered to be out of keeping with its neighbours; No. 17 to the east has a front gable of similar scale with first floor windows set within the eaves.
- 7.6 Currently No. 19 appears to have one of the lowest ridge heights in this part of Gypsy Lane, and the appearance of the building is heavily dominated by dormer windows. Officers therefore consider that its current appearance does little to contribute to the character of the area. The proposed design would reduce the extent of dormer windows and would better reflect the mixed character of the area. The front gable will reflect No. 17, and the dormer windows are considered to be of an appropriate scale and design so as not to dominate the roof. Given the design, an area of flat roof is proposed at roof level; however this will not be readily visible and is considered to be acceptable in accordance with policy ENV6.
- 7.7 The siting of the dwelling is unique given its significant set back from the road, and the Inspector previously agreed that this actually increased its impact by drawing more attention to the scale of the development. However in this case, given the reduced ridge and eaves height, Officers consider that this amended scheme will not appear so prominent or out

3/11/1230/FP

- of character and will no longer appear harmful in the street scene.
- 7.8 The description also includes reference to a first floor rear extension. This relates to the provision of additional first floor space above an existing single storey projection to the rear of the dwelling, which did not form part of the previously refused scheme. This part of the dwelling is located away from neighbouring boundaries and is located to the rear of the dwelling where its impact will be minimal. Officers therefore consider this aspect of the scheme to be acceptable.
- 7.9 Finally it is noted that the proposal again includes a front porch addition, but there is no objection to this in terms of its scale or design.
- 7.10 Concerns have been raised regarding overdevelopment of the site; however the footprint of the building will not change. The addition of a single extra bedroom is not considered to result in an unduly large dwelling in this location.

Impact on Neighbour Amenity

- 7.11 Although the Council did not include it as a reason for refusing 3/10/1402/FP, the Inspector also dismissed the previous appeal on the grounds that the development would have a harmful overbearing impact on No. 21 Gypsy Lane. He commented that the increase in the height of the appeal property would be very obvious from the rear windows and rear garden of No. 21. The eaves along that boundary would have increased in height by some 3m to 5.15m, only 1.5m away from the boundary. He considered that, given the staggered siting of the houses, this would have a harmful impact on the area immediately behind No. 21 and would also be emphasised by the unavoidable loss of some existing boundary planting.
- 7.12 In this case, although the position of the building has not changed in relation to the boundary, the scale of this side projection has been reduced. Although this section is now proposed with a half hipped roof rather than a fully hipped roof, and the height of the highest part of the eaves would be similar to that previously dismissed, the front and rear eaves have been reduced by approximately 1.3m (from 5.2m to 3.9), and the ridge height of this section has been reduced by 1m (from 7.5m to 6.5m). On balance, Officers consider that although this flank elevation will still have some impact on the amenities of No. 21, the overbearing result would no longer be harmful.
- 7.13 Although a number of dormer windows are proposed, these are mostly positioned in the front and rear elevations. Only 1 no. dormer window is proposed in the east elevation facing towards No. 17 and this will serve a

small study. In terms of overlooking, this represents a significant improvement over the existing situation where there are currently 3 no. dormer windows facing No. 17, 2 of which serve as bedroom windows. Overlooking to No. 17 will therefore be reduced as a result of this development and it is not considered reasonable or necessary to require that this new dormer window be obscure glazed.

- 7.14 Neighbours at No. 21 have also raised concerns over overlooking; however due to the oblique angle between the proposed front and rear dormer windows and any habitable room windows or private amenity space at No. 21, no harm would arise. The previous appeal was not dismissed on these grounds despite the windows being located in a similar position.
- 7.15 In terms of sunlight and daylight, Officers do not consider the proposal to result in any harm given the siting and orientation of the dwelling, and distance to neighbours.

Landscaping and Trees

- 7.16 As set out in the Inspector's decision, it is inevitable that some boundary planting between Nos. 19 and 21 will need to be removed to facilitate this development. Whilst none of this vegetation is of any significant amenity value, it is considered reasonable and necessary to require replacement or reinforcement of this boundary screening by way of condition in order to soften the flank elevation of the development from No. 19. No other trees or landscaping will be affected by this proposal.

Parking and Access

- 7.17 There will be no change to the existing access arrangements. In terms of parking, the dwelling will increase in size from 4 beds to 5 beds; however ample parking provision exists on site given the extensive front driveway and parking area. The proposal therefore complies with policy TR7.

8.0 Conclusion:

- 8.1 Overall, giving due weight to the previous Inspector's decision, Officers consider that the reduced height of the scheme will no longer result in a dwelling that is harmful to the street scene. The scale and design of the extensions are now considered to be more in-keeping with the character of the area. Further, the reduced scale side projection is no longer considered to result in a harmful overbearing impact on No. 21.
- 8.2 Officers consider the previous Inspector's concerns to have been addressed, and the application is therefore recommended for approval

3/11/1230/FP

subject to the conditions set out above.