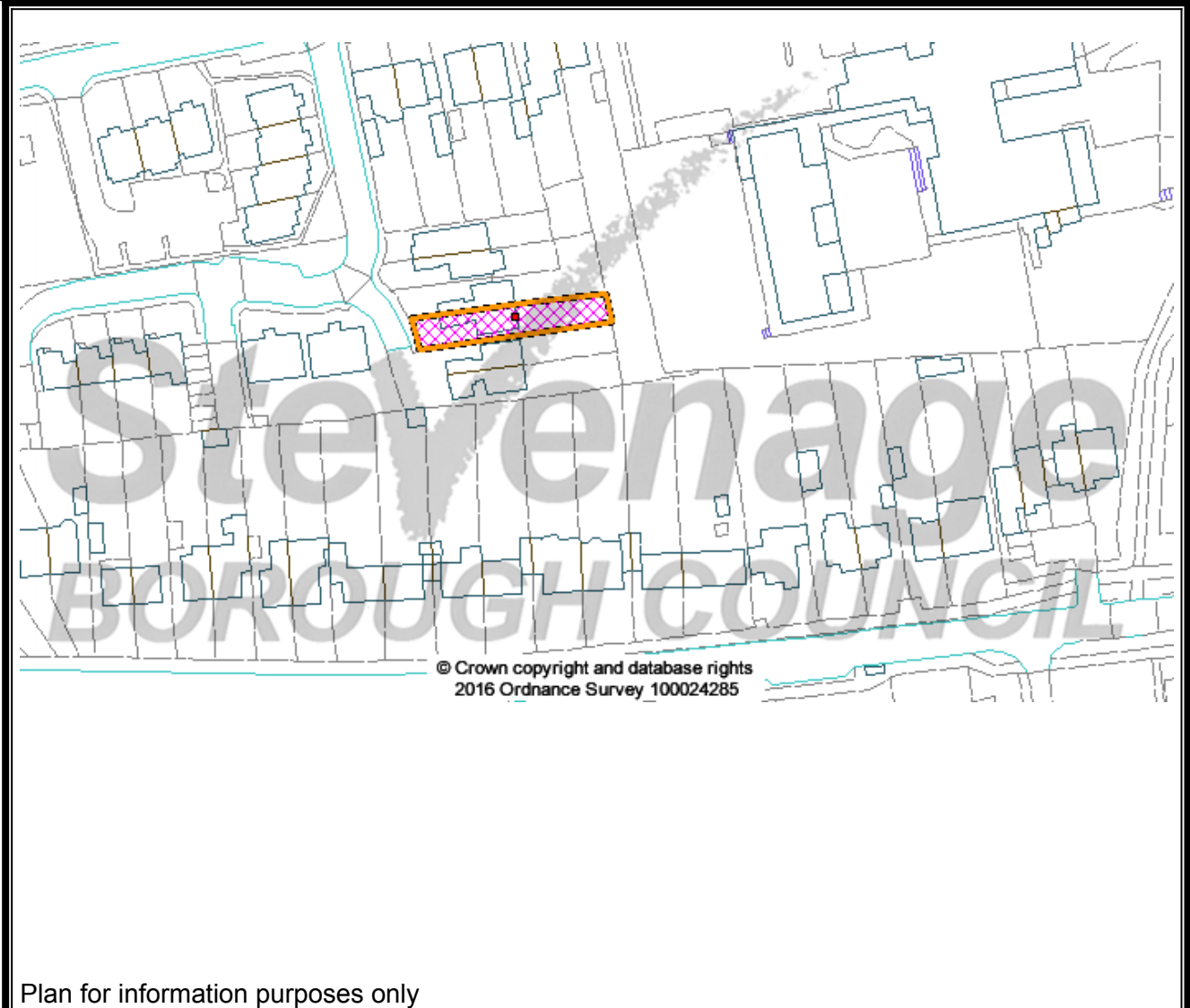


Meeting:	Planning and Development Committee	Agenda Item:
Date:	3 April 2019	
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Application No:	19/00097/FPH
Location:	4 Hammond Close, Stevenage.
Proposal:	Single-storey side and rear extension.
Drawing Nos.:	PL-001B; PL-002B; PL-003D.
Applicant:	Ms P Schenkel
Date Valid:	15 February 2019
Recommendation:	GRANT PLANNING PERMISSION.



1. SITE DESCRIPTION

- 1.1 The application site is located within the cul-de-sac of Hammond Close which is a spur road off Pound Avenue. The application property is a two-storey, semi-detached dwelling with a gable-end roof. Projecting off the principal elevation of the property is a single-storey front extension. The property is constructed from a stock red brick with the roof clad in concrete inter-locking tiles. The garage roof is finished in a ply membrane. The fenestration detailing comprises of uPVC windows and doors which are symmetrically aligned and evenly spaced. To the rear of the property is a narrow but long private garden which is enclosed by a close board timber fence.
- 1.2 The surrounding area comprises a mixture of detached, semi-detached and terraced houses as well as residential blocks of flats. The dwellinghouses are generally uniform in designs which reflect the architectural characteristics of the application properties.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application 2/0092/76 sought permission for the erection of six no. 3 bedroom semis, six no. 2 bedroom terraces, four no. 2 bedroom flats and eight no. 1 bedroom flats with associated parking and garaging. This application was granted planning permission in August 1976.

3. THE CURRENT APPLICATION

- 3.1 The proposed development seeks planning permission for a single-storey side extension and single-storey rear extension. However, with regards to the proposed conversion of the garage to a study and bike store, this would not require planning permission from the Council. This is because there are no conditions attached to the original permission (Planning permission reference:- 2/0092/76) for the estate in which the application property forms part of, which restricts the use of the garage to the parking of motor-vehicles.
- 3.2 In regards to the proposed side extension, this would project off the side wall of the single-storey garage wing. The development works would measure approximately 1.23m in length, span 2.86m in width with an overall height of approximately 2.31m and comprises a flat roof. In relation to the proposed single-storey rear extension, this would measure approximately 3.5m in length, span 4.36m in width with an overall height of 2.88m. The proposed rear extension would comprise of a flat roof with a parapet wall and a centralised roof light. Both of the extensions would be constructed in similar materials to those used in the construction of the main dwellinghouse.
- 3.3 This application has been referred to the Planning and Development Committee as the applicant has a connection with a Stevenage Borough Councillor.

4. PUBLIC REPRESENTATIONS

- 4.1 Following notification of this application via letter to neighbouring properties and the erection of a site notice, at the time of drafting this report no comments or representations have been received.

5. CONSULTATIONS

- 5.1 There are no relevant consultations in relation to this planning application.

6. RELEVANT PLANNING POLICIES

6.1 Background to the Development Plan

6.1.1 In the determination of planning applications development must be in accordance with the statutory development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014);
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007); and
- The Stevenage District Plan Second Review 2004.

The Council has now reached an advanced stage in the preparation of a new Stevenage Borough Local Plan 2011-2031. The Plan has been used as a material consideration in the determination of all planning applications registered on or after Wednesday 6 January 2016. The Plan has now been through the Examination process and the Inspector's Report was received in October 2017. This recommended approval of the Plan, subject to modifications proposed. The Plan is currently subject to a holding direction placed upon it by the Ministry of Housing Communities and Local Government (MHCLG), which prevents its adoption whilst MHCLG are considering whether or not to call it in.

6.1.2 The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework.

6.1.3 In considering the policy implications of any development proposal, the Local Planning Authority will assess each case on its individual merits, however, bearing in mind the positive Inspector's Report, significant weight will be afforded to policies within the emerging Local Plan.

6.2 Central Government Advice

6.2.1 A revised National Planning Policy Framework (NPPF) was published in February 2019. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. Annex 1 of the NPPF provides guidance on how existing local plan policies which have been prepared prior to the publication of the NPPF should be treated. Paragraph 213 of the NPPF applies which states that due weight should be afforded to the relevant policies in the adopted local plan according to their degree of consistency with it.

6.2.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is itself a material consideration. Given that the advice that the weight to be given to relevant policies in the local plan will depend on their degree of consistency with the NPPF, it will be necessary in the determination of this application to assess the consistency of the relevant local plan policies with the NPPF. The NPPF applies a presumption in favour of sustainable development.

6.2.3 In addition to the NPPF, advice in Planning Practice Guidance must also be taken into account. It states that, where the development plan is absent, silent or the relevant policies are out of date, paragraph 11 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

6.3 Adopted Local Plan

Policy TW1: Sustainable Development;
Policy TW8: Environmental Safeguards;
Policy TW9: Quality in Design;
Policy T15: Car Parking Strategy;

6.4 Stevenage Borough Local Plan 2011-2031 Publication Draft (Emerging Local Plan)

Policy SP1: Presumption in favour of sustainable development;
Policy SP2: Sustainable Development in Stevenage;
Policy SP6: Sustainable Transport;
Policy SP8: Good Design;
Policy IT5: Parking and Access;
Policy GD1: High Quality Design;

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document January 2012.
Stevenage Design Guide Supplementary Planning Document January 2009.

7. APPRAISAL

7.1 The main issues for consideration in the determination of this application are visual impact, impact upon neighbouring amenity and parking provision.

7.2 Visual impact

7.2.1 In terms of design, Paragraph 127 of the National Planning Policy Framework (NPPF) 2019 stipulates that planning decisions should ensure development functions well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 130 of the NPPF states that “permission should be refused for development of poor design that fail to make available opportunities for improving the character and quality of an area and the way it functions”.

7.2.2 Policy TW9 of the District Plan (2004) requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design. Policy GD1 of the emerging Local Plan (2016) generally reflects the above policy.

7.2.3 The proposed development, as detailed in paragraph 3.2 of this report, comprises a single-storey side extension to the garage wing and a single-storey rear extension. The overall dimensions of the proposed extension works are set out in detail in paragraph 3.2 of this report.

7.2.4 Dealing with the proposed side extension to the garage, whilst there are no other properties in Hammond Close with similar forms of development, it would appear proportionate and secondary to the existing property. In addition, due to the siting and position of the application property within the estate combined with the positioning of the extension, the proposed works would only be visible from acute angles as viewed from the public realm. Furthermore, it has been designed to reflect the overall external appearance of the application property and as such, it is considered that the development would not have a detrimental impact on the visual amenities of the street scene.

7.2.5 With regards to the proposed single-storey rear extension, this would also appear proportionate and secondary against the backdrop of the application property. In addition, the extension works, being located to the rear combined with the property being bordered by residential development, the extension would not be visible from the public realm. Therefore, it would not have a detrimental impact on the street scene. In terms of visual appearance, the proposal would be constructed from similar materials to those used in the construction of the main dwellinghouse. Furthermore, the overall flat roof designs of the extensions are also acceptable from a visual perspective. This is because the front extension would tie into the flat roof area of the existing garage wing. In relation to the proposed rear extension, as this is not readily visible from the public realm being to the rear of the property, it does not have a detrimental effect on the street scene.

7.4 Impact upon Neighbouring Amenity

Outlook and privacy

7.4.1 In regards to outlook, the proposed single-storey side extension, due to its position against the single-storey garage wing, would not harm the outlook as viewed from number 3 Hammond Close. In relation to number 5, whilst there is a window in the front elevation of this property which could be affected by the proposed development, this window serves a kitchen which is not classed as a habitable room. Therefore, the outlook from this property would not be detrimentally affected by this proposal.

7.4.2 With regards to privacy, the proposed side extension would comprise of a side window which would serve the study. However, this window looks onto the flank wall of the garage wing of number 5 Hammond Close. In addition, it overlooks the front garden which is not the main amenity space which serves this property. Consequently, the privacy of the aforementioned property would not be affected by the side extension.

7.4.3 Dealing with the proposed rear extension, due to its siting and position on the boundary with number 3 Hammond Close, there is potential the development could harm the outlook of this property. This is especially so given the fact that the nearest window affected by the development appears to serve the living room/dining area which is classed as a habitable room.

7.4.4 As originally submitted the extension had a depth of 4.5m. Due to concerns about the impact on number 3, the depth of the extension has been reduced. In this regard, whilst there would still be breach of 45-degree amenity line, albeit marginally in plan, the extension in terms of its depth would accord with the Council's Design Guide SPD (2009). In addition, the extension does not breach the 45-degree line in plan form. Therefore, it is considered on balance that the proposed extension would not have a detrimental impact on the amenities of number 3 Hammond Close.

7.4.5 In regards to the impact on number 5, due to its siting and position of the extension being set 1.65m from the shared boundary combined with its reduced depth, it would not breach the 45 degree amenity line in plan or elevation form. Therefore, it would not impact upon the outlook of the aforementioned property.

7.4.6 With respect to privacy, the proposed extension comprises a side window which would serve the dining/snug area. However, this window, being at ground floor level, would look onto the existing boundary fence. As such, this window would not directly overlook the private garden area of number 5 Hammond Close. With regards to the French Windows on the rear elevation of the extension, these look onto the private garden of the application property and the rear boundary fence. As such, the privacy as viewed from the private rear garden area of number 34 Pound Avenue, which the application site sides onto, would not be affected by the proposed development.

- 7.4.7 In relation to the flat roof area of the extension, it is noted that this could be converted to a balcony or outdoor terrace in the future which could affect the privacy of neighbouring properties. Therefore, it is recommended a condition be imposed removing permitted development rights. This restrictive condition will ensure that the flat roofed area of the extension cannot be converted to a balcony or terrace without first seeking planning permission from the Council.

Sunlight and daylight

- 7.4.8 Looking at sunlight and daylight, due to the limited size and scale of the proposed works they would not have a detrimental impact upon the level of sunlight or daylight which is received by neighbouring properties. This is because whilst there is a breach of the 45-degree line at 3 Hammond Close, the extensions both to the side and rear do not breach the 45 degree line in elevation form. Therefore, a further assessment in line with the BRE Guide does not have to be undertaken in this instance.

7.5 Parking Provision

- 7.6.1 Policy T15 of the Local Plan (2004) states that car parking provision should be made at, or below, the maximum provision which is specified in the Council's adopted standards. Policy IT5 of the emerging Local Plan (2016) states that planning permission will be granted where proposals comply with the parking standards set out in the plan.
- 7.6.2 The Council's Car Parking Standards SPD (2012) sets out the maximum number of parking spaces and is based on the number of bedrooms. The proposed development does not seek to increase the number of bedrooms within the application property. Therefore, no additional off-street parking is required. However, it is noted that the proposed development would seek to convert a part of the garage to a study. As such, this would remove one parking space which would serve the application property. Furthermore, the proposal does not seek to provide replacement off-street parking to compensate the loss of the garage.
- 7.6.3 Notwithstanding the above, as the property has its permitted development right intact, planning permission is not required from the Council to convert the garage to a study. Given this, the Council is unable to refuse planning permission due lack of a replacement parking space following the conversion of the garage in this instance.

8. CONCLUSIONS

- 8.1 In summary, the proposed development would not have a detrimental impact on the character and appearance of the property or the visual amenities of the street scene. In addition, the proposed development would not harm the amenities of neighbouring properties. Furthermore, the conversion of the garage to a study does not require planning permission from the Council so there is no control in relation to off-street parking.
- 8.2 Given the above, the proposed development accords with the Policies contained within the adopted Local Plan (2004), the Council's Emerging Local Plan (2016), the Council's Supplementary Planning Documents, the NPPF (2019) and NPPG (2014).

9. RECOMMENDATIONS

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

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

PL-001B; PL-002B; PL-003D.

REASON:- For the avoidance of doubt and in the interests of proper planning.

- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 3 The development hereby permitted shall be constructed in accordance with the details which have been specified in the application.

REASON:- To ensure the development has an acceptable appearance.

- 4 No access shall be provided to the roof of the single-storey rear extension by way of windows, doors or staircases and the roof of the extension hereby permitted shall not be used as a balcony or sitting out area.

REASON:- To protect the amenities and privacy of the occupiers of numbers 3 and 5 Hammond Close.

Pro-active Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage District Plan Second Review 1991-2011.
3. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012.
4. Stevenage Borough Local Plan 2011-2031 Publication Draft.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework February 2019 and Planning Policy Guidance March 2014.