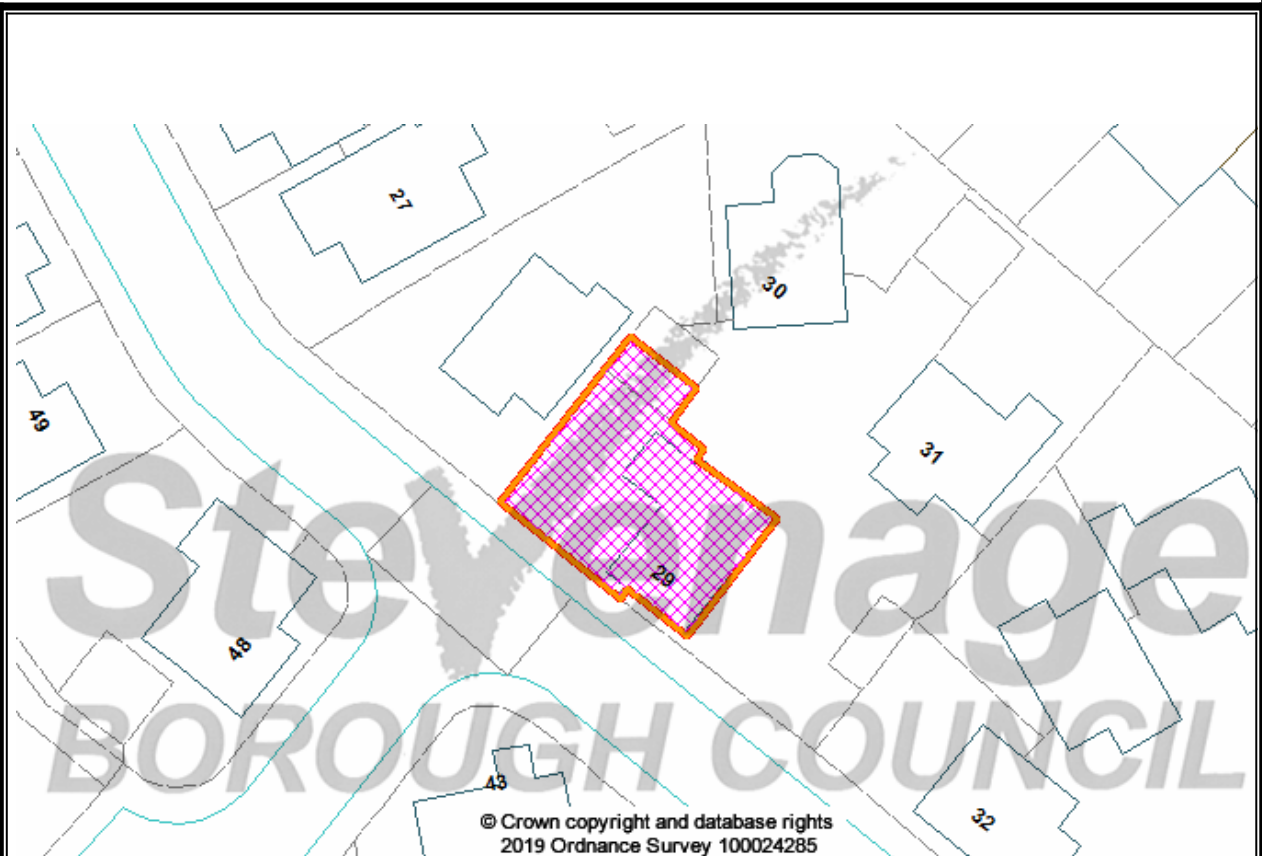


Meeting:	Planning and Development Committee	Agenda Item:
Date:	16 July 2019	
Author:	James Chettleburgh	01438 242266
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	James Chettleburgh	01438 242266

Application No:	19/00315/FPH
Location:	29 Hayfield, Stevenage.
Proposal:	Two storey rear extension following demolition of existing conservatory and raising the height of the roof in order to facilitate the creation of additional habitable accommodation in the roof space.
Drawing Nos.:	011_D_01_; 011_D_02_1; 011_D_03_1; 011_D_07_1.
Applicant:	Mr Maher Habib
Date Valid:	23 May 2019
Recommendation:	GRANT PLANNING PERMISSION.



Plan for information purposes only

1. SITE DESCRIPTION

- 1.1 The application site is located on the eastern side of Hayfield. The site comprises a two-storey detached dwellinghouse with a jerkinhead (hipped) roof with a two-storey gable-end wing on the principal elevation. In addition, there is also a light framed gable-end porch roof canopy positioned over the main entrance of the application property. In terms of visual appearance, the host property is constructed from a stock red brick with the principal elevation finished in cream render with brick detailing and the roof clad in concrete interlocking bold roll tiles. The fenestration detailing of the application dwellinghouse is generally symmetrical and uniform comprising of uPVC windows and doors. To the rear of the property is a single-storey conservatory with a brick base and glazed uPVC structure with a hipped roof. To the north of the property is a detached double garage (one garage space serving the application property) which is constructed from brick with a tiled gable-end roof.
- 1.2 The surrounding area is characterised by a mixture of detached, semi-detached and terraced properties. These properties are set out in a cul-de-sac arrangement and comprise of varying architectural styles and finishes. The properties within Hayfield are generally constructed from brick and render with some properties comprising of mock Tudor detailing.

2. RELEVANT PLANNING HISTORY

- 2.1 Planning application 18/00589/FPH sought permission for the demolition of the existing conservatory and the erection of a two-storey rear extension and construction of new roof for a loft conversion. This application was withdrawn in November 2018.

3. THE CURRENT APPLICATION

- 3.1 This application seeks planning permission for the erection of a two-storey rear extension following demolition of the existing conservatory. The proposal also seeks permission for the raising of the roof in order to facilitate the creation of habitable accommodation in the roof space.
- 3.2 The proposed two-storey rear extension would measure approximately 2.5m in length and span 9.43m in width. In terms of height, the proposed works would have an eaves height of approximately of 5.45m with an overall height of 7.91m. The proposed works would comprise of a gable-end roof. In terms of the proposed floorplans, at ground floor level, the extension would seek to create an enlarged open plan kitchen, dining and living area. At first floor level, the proposed development would seek to enlarge the existing master bedroom and bedroom two.
- 3.3 The proposed development also seeks to increase the height of the original roof of the main dwellinghouse by 0.65m. The raised roof, combined with the roof space created above the proposed two-storey rear extension, would facilitate the creation of two additional bedrooms, storage and a bathroom.
- 3.4 This application has been referred to the Planning and Development Committee for its decision as this application has been called-in by Councillor Graham Snell. The reason for the call-in request is due to the following concerns raised by local residents:-
- Impact on neighbouring amenity;
 - Impact on the character of the street scene;
 - Car parking and highways issues; and
 - Concerns of overlooking of properties.

4. PUBLIC REPRESENTATIONS

4.1 This planning application has been publicised by way of a site notice and neighbouring properties have been notified about the application via a letter. Objections have been received from numbers 24, 28, 30, 31, 32, 42, 46, 47, 48, 49 and 50 Hayfield. A summary of the objections which have been raised are as follows:-

- The area is already overdeveloped;
- Insufficient parking to serve the development;
- Concern about the property being converted into a HMO;
- The development could give rise to increased noise and disturbance;
- The increased traffic generated by the development would prejudice highway safety, including the safety of children;
- The development will result in a loss of light to neighbouring properties;
- The proposed development would impact on the privacy of neighbouring properties in terms of overlooking habitable rooms and private gardens;
- The building works would affect access to neighbouring properties;
- The development would have a detrimental impact on the well-being of residents in the cul-de-sac;
- The development would have a detrimental affect with regards to the reasons why residents moved to the area being a quiet cul-de-sac;
- The development will exacerbate parking issues in the area;
- The development could affect access for emergency vehicles in the cul-de-sac;
- The development, if approved, would set a precedent which would further depreciate the character of Hayfield;
- The development would be out of character and harm the visual amenities of the street scene;
- A number of residents objected to the previous application (Planning Reference:- 18/00589/FPH) on similar grounds;
- The development would result in a substantial reduction in the private garden area; and
- The development is considered to be overdevelopment of the plot.

4.2 Please note that the above is not a verbatim copy of the comments which have been received. To view full copies of the objections which have been received, these are available to view on the Council's website.

5. CONSULTATIONS

5.1 Hertfordshire County Council as Highways Authority

5.1.1 It is not considered there are any highway issues associated with the proposal.

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 Borough Local Plan 2011-2031 (2019) (Adopted Local Plan).

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.

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 SP8: Good Design;
Policy GD1: High Quality Design;
Policy IT5: Parking and Access.

6.5 Supplementary Planning Documents

Stevenage Design Guide Supplementary Planning Document January 2009.
Council's Car Parking Standards Supplementary Planning Document October 2012.

7. APPRAISAL

7.1 The main issues for consideration of this application are the impact on the character and appearance of the area, impact on residential amenity, car parking and highway implications.

7.2 Impact on the character and appearance of the area

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 available for improving the character and quality of an area and the way it functions”.

- 7.2.2 Policy GD1 of the Local Plan (2019) generally 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.
- 7.2.3 The existing dwellinghouse measures approximately 6.36m in length and spans 9.43m in width. In regards to height, the dwellinghouse has an eaves height of approximately 5.45m with an overall ridge height of 7.26m. As detailed under paragraph 3.2 of this report, the proposed two-storey rear extension, following demolition of the existing conservatory, would measure approximately 2.5m in length and span 9.43m in width. In terms of height, the works would have the same eaves height as the application property of 5.45m. However, as set out under paragraph 3.3, the development comprises an increase in ridge height of the property by 0.65m to 7.91m. As such, the roof of the proposed two-storey extension would tie into the increased roof height of the original ridge line of the application property.
- 7.2.4 Given the aforementioned, the proposed development works would generally appear proportionate and secondary against the original proportions of the application property. With regards to the increased height of the roof, this would reflect the ridgeline height of properties which form this part of Hayfield. As such, the roof profile of the application property would not be out of character in this instance.
- 7.2.5 With regards to visual appearance, the proposed works would be constructed out of similar materials used in the construction of the application property. With regards to fenestration detailing, this is symmetrically aligned and evenly spaced and would comprise of uPVC windows and doors. The windows would also comprise brick detailing around the cills in order to reflect the existing detailing used on the application property. With regards to the roof of the extension, this would comprise a gable-end which would tie into the raised jerkinhead (hipped) roof of the application property. As such, the roof has been sensitively designed to reflect the original architectural characteristics of the application property.
- 7.2.6 In relation to the proposed roof lights, these would measure 0.62m by 0.75m and sit flush within the roof slope. With regards to siting and position of the roof lights, two would be located on the gable-end roof of the two-storey extension, one would be located on the rear and three would be located on the roof slopes of the main dwelling. As such, the roof lights would appear proportionate and secondary within the respective roofs and evenly spaced to ensure that they do not appear cluttered.
- 7.2.7 Taking the above assessment into consideration, the proposed development works would not have a detrimental impact on the character and appearance of the dwellinghouse. In addition, whilst the extension would be readily visible from the public realm, it would not have a detrimental impact on the visual amenities of the area generally.

7.3 Impact on residential amenity

Outlook

- 7.3.1 With regards to the impact on outlook, as there are no habitable room windows on the flank (eastern) elevation of number 28 Hayfield, the proposed works would not impact upon the outlook of the occupiers of this property. Notwithstanding, it is noted that the application property does sit forward of the original front building line of the aforementioned property. However, at ground floor level, the nearest habitable window is located beyond the integral garage and as such, is located over 11m from the proposed extension.
- 7.3.2 With respect to the windows at first floor level serving 28 Hayfield, it is noted there is a window located over the integral garage which appears to serve a bedroom. However, the proposed works are located over 8m from this window and the proposal does not breach the 45-degree amenity line in plan or elevation form. Consequently, it is not considered that the proposed development would not impact upon the outlook of the occupiers of number 28 Hayfield.
- 7.3.3 In regards to the impact on number 30 Hayfield, the proposed rear extension is over 8.6m from the nearest habitable windows of this property and over 11m from the section of the raised roof. Due to the level of separation combined with the fact that this property is orientated at an angle away from the application property, the outlook of the occupiers of number 30 Hayfield would not be detrimentally affected by the development in this instance.
- 7.3.4 In addition to the above, this property already looks onto the flank elevation of the detached double garage which is located between the application property and the aforementioned property. Moreover, number 30 Hayfield already looks onto the flank (eastern) elevation of the application property as well. Consequently, the level of harm to outlook would be very limited over and above the current situation in this instance.
- 7.3.5 Looking at the impact on number 31 Hayfield, due to the siting and position of this property in context with the application site, the proposed rear extension would not be readily visible from the forward facing habitable rooms within this property. However, it is appreciated that the proposed raising of the roof could potentially have an impact. Notwithstanding this, the application property is over 9.43m from the aforementioned property and the proposal seeks only to increase the height of the roof by 0.65m. In addition to this, the application site is not located directly opposite number 31 as this property looks onto the shared road which serves number 29 to 31. As such, the development would not harm the outlook of the occupiers of number 31 Hayfield in this instance.
- 7.3.6 Turning to the impact on number 32 Hayfield, it is noted that the rear habitable room windows look onto the front elevation of the application property. As such, the proposed rear extension would not be readily visible from 32 Hayfield. With regards to the raising of the roof, the application property is located over 19m from the rear elevation of number 32 Hayfield. In addition, the application property is approximately 11m from the private garden area of the aforementioned dwellinghouse. Taking these levels of separation into consideration, combined with the limited increase in the height of the roof, the proposed development would not harm the outlook or appear overbearing to the occupiers of 32 Hayfield in this instance.
- 7.3.7 With regards to the outlook of the occupiers of the application property, the first floor windows serving the master bedroom would only be located 9.38m from the flank elevation of number 28 Hayfield. Given this, the level of separation is below the Council's back to side

separation distance of 15m as set out in the Design Guide SPD. As such, the outlook of the occupiers of the dwellinghouse could be affected in this instance. However, in order to compensate for this impact, the master bedroom would be served by a secondary window on the northern elevation. This would ensure the bedroom is dual aspect in order to compensate for loss of outlook.

- 7.3.8 In relation to the windows serving the second bedroom and bedroom four in the roof space, these windows would look out onto the front garden area of number 28 Hayfield. As such, these rooms would have acceptable outlook in this instance.

Privacy

- 7.3.9 With regards to privacy, the proposed extension works would comprise of new openings at ground, first and second floor level which could impact upon the privacy of neighbouring properties. Dealing with the windows at ground floor level serving the open plan kitchen, dining room and living room, due to the presence of a 1.8m high close board timber fence, these windows would not overlook any private amenity areas or habitable rooms of neighbouring properties.
- 7.3.10 Turning to the windows serving bedroom two at first floor level, the window on the rear elevation would overlook the front garden area of number 28 Hayfield which is not classed as a private area. With regards to the second window serving this bedroom, this would overlook Hayfield which is a trafficked highway. In relation to the windows serving the master bedroom, one window looks onto the blank elevation of the aforementioned property which does not comprise of any habitable windows. With regard to the second window, this would overlook the shared driveway which serves 29 to 31 Hayfield as well as the detached garages. In addition, as set out in paragraph 7.3.3, 30 Hayfield is orientated at an angle away from the application property. As such, this window would not directly look onto the habitable room windows of the aforementioned property.
- 7.3.11 With regards to the impact on numbers 31 to 32, there would be no new windows or openings on the original flank and front elevations of the application property. As such, the privacy of these properties would not be detrimentally affected by the proposed development.

Sunlight and Daylight

- 7.3.12 In assessing the impact on light from the sky, it is set out in the BRE guide on Site Layout Planning for Daylight and Sunlight (2011) to draw a section in a plane perpendicular to each affected window. Then an angle is measured to the horizontal subtended by the new development at the level of the centre of the lowest window. If the angle is less than 25 degrees for the whole of the development then it is likely to have an effect on the level of skylight enjoyed by the existing building.
- 7.3.13 Following an assessment of the proposed development, whilst it is appreciated the development involves the raising of the roof and the creation of a two-storey rear extension, it would not subtend the 25 degree line as drawn from the nearest habitable room windows of neighbouring properties. In addition, the development would not breach the 45 degree line as taken from the centre of the habitable windows in elevation form. This is due to the level of separation as well as the orientation of neighbouring properties in context with the application site. Therefore, in accordance with the BRE Guidance, an additional assessment as to the impact the development may have in terms of sunlight or daylight does not have to be undertaken in this instance.
- 7.3.14 In regards to overshadowing, an assessment in accordance with the BRE guidance has been undertaken. The assessment identified that the proposed development would generate

additional overshadowing to number 28 Hayfield between 08:00AM and 09:00AM. However, the shadowing generated by the development would fall within the shadow of the existing boundary treatment as well as shadow generated by number 28 itself. In addition, the overshadowing would occur over the front garden area which is not classified as private amenity space. With regards to the impact on number 30, whilst it is noted the development involves a raising of the roof of the original dwelling, the level of overshadowing generated by the development would only occur over the shared driveway.

- 7.3.15 Turning to the impact on number 31 Hayfield, it identified that the development would by 3:00PM generate an area of overshadowing to the front of the aforementioned property. However, the overshadowing created by the development is only limited over and above the current situation. As such, there would be insufficient grounds to warrant refusal in this instance.

Private Garden Area

- 7.3.16 The Council's Design Guide SPD, whilst this relates to new dwellings, states that the minimum garden space for a property should normally be 50 square metres. The host application property currently has a private garden area of 81 sq.m. Following demolition of the existing conservatory, the proposal would result in a 15% reduction of the private garden area to 69 sq.m. The retained garden area as such would exceed the adopted standards which are set out in the Council's Design Guide.

7.4 Car parking and highway implications

- 7.4.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the requirements of the Parking Supplementary Planning Document. Turning to the Council's Parking Standards SPD (2012), it sets out the parking standard for residential development (including extensions to dwellinghouses) based on the number of bedrooms.
- 7.4.2 The existing application property currently comprises 4 bedrooms. The proposed development comprises of 4 bedrooms (2 within the roof space). However, the proposal does also comprise a study on the first floor which is of a sufficient size to be converted into a bedroom. As such, the proposed development would result in the creation of a 5 bedroomed dwellinghouse.
- 7.4.3 The Council's Car Parking Standard for a 4 + bedroomed property is 2.5 spaces (rounded up to 3). However, the original property only comprises of 1 parking space which is technically below the Council's currently adopted parking standards. Notwithstanding this, as the parking standard for 4 and 5 bedroomed properties is the same and that would not be altered by this application, then it would be unreasonable to request additional off-street parking to serve the enlarged property.
- 7.4.4 Given the aforementioned, whilst it is noted residents have substantive concerns regarding parking provision, there is insufficient grounds to recommend refusal based on the level of parking which is available to serve the enlarged property. With regards to impact on the safety and operation of the highway network, Hertfordshire County Council as Highways Authority has advised in their comments that they do not consider the development would prejudice the safety and operation of the highway network.
- 7.4.5 With regards to vehicles parking on the vehicular highway and concerns raised by local residents if a vehicle blocks access to a property, including contractor vehicles, then this is a matter for the Police and/or Hertfordshire County Council as Highways Authority to enforce against.

7.5 Other matters

Use of the property as a House of Multiple Occupation

- 7.5.1 It is appreciated that a number of concerns have been raised that the property could be converted into a House of Multiple Occupation (HMO). Notwithstanding the concerns which have been raised, the applicant is merely seeking permission to undertake a number of extensions to the property and has not sought permission from the Council as the Local Planning Authority to use the property as a HMO. However, if the applicant were to use the property as a HMO in the future, they would have to apply for planning permission from the Council. This is because the Council introduced an Article 4 Direction which came into force on the 20 September 2017. This Direction removes permitted development rights for changes of use from C3 (Residential) to C4 (HMO).

The development will set a precedent

- 7.5.2 It is noted that a number of residents have raised concerns about the proposed development creating a precedent. Whilst it is legitimate to give weight to the possibility of creating an undesirable precedent when considering a planning application, the NPPF does advocate that applications for planning permission must be determined on their individual merits in accordance with the development plan unless material considerations indicate otherwise. Therefore, this application before the Council has been carefully assessed on its own individual merits in line with the development plan and, as such, it is not considered that this development would generate an unacceptable precedent in this instance.

Noise

- 7.5.3 A number of residents have raised concerns that the development would give rise to unacceptable noise if it was to be converted to a HMO. However, as mentioned in paragraph 7.5.1 of this report, this application does not seek planning permission as a HMO.
- 7.5.4 With regards to noise generally, if the development gives rise to statutory nuisance, including during the construction phase, the Council's Environmental Health Section has powers to deal with such nuisances in line with the Environmental Protection Act 1990.

8. CONCLUSIONS

- 8.1 In summary, it is considered that the proposed development would not have a detrimental impact on the character and appearance of the application property or the visual amenities of the area generally. In addition, the proposed development would not have a detrimental impact on the amenities of neighbouring properties and would not prejudice highway safety.
- 8.2 Given the above, the proposed development accords with the Policies contained within the adopted Local Plan (2019), 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:

011_D_01_; 011_D_02_1; 011_D_03_1; 011_D_07_1.

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 materials to be used in the construction of the development hereby permitted shall be as specified in the application submission.

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

Pro-active Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2012.
3. Stevenage Borough Local Plan 2011-2031 adopted May 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2018.
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.