

DELEGATED FILE NOTE

CASE OFFICER: ...Alex Howard.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
23/02355/FP	Erection of two detached double garages (as amended by plans received 28th November 2023).	Properties 1 And 2 Scarp Close Ashwell Street Ashwell Hertfordshire SG7 5FP

Submitted Plan Nos

PM/23/15/L4b PM/23/15/L3c PM/23/15/L1a PM/23/15/L2a

1.0 Policies

D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
T2	Parking
SECN12	Achieving well-designed places

2.0 **Planning History**

2.1 Extensive site history relating to the original permissions for these two dwellings and subsequent revisions through S73 applications.

3.0 **Representations**

3.1 **Site Notice and Neighbour Consultation** – Comments received from 35 Ashwell Street, on the following matters (summary):

- The additional buildings are further development creep.
- The proposal will leave an almost continuous building line 3.0m from the boundary of this neighbour.
- Moving the Plot 2 garage closer to the dwelling would mitigate perceived overlooking from the terrace area into the garden of the neighbour.
- The garage would see the removal of vegetation on the boundary with No.35.
- Further erosion of the local area and the enjoyment of their home.
- The height of these buildings appears to be unnecessary.
- The garages are smaller than required to be counted as a parking space.
- No provision for turning vehicles.
- Garage is not subservient to the Plot 1.
- Garage is beyond the building line for Ashwell Street and is on an elevated position for Plot 1.
- Further densification of the site where the density should be lower.
- Not sympathetic to local character.
- Concerns over fire engine turning circle at Plot 2.
- Overbearing impact of Plot 2 garage on Plot 1 and No.35.

- Concerns over landscaping scheme as approved not being implemented on site.

3.2 **Ashwell Parish Council** – *“It was resolved to object to the application on the grounds of, in particular, planning creep/intensification of development; (i) The garages would extend the density of development in a linear way along a north-south axis which would intensify the built form in a non-natural way at the edge of the village. (ii) There were no heights on the provided plans so their impact on the neighbour to the west was difficult to judge. (iii) The garage to plot 1 would further impact on the street scene from Ashwell Street where the house was set back from the road, the built form is now brought much closer than any other house or built structure along this section of the street. (iv) There were no CGIs of the impact on the street scene”.*

Following receipt of this objection from the Parish Council, the LPA contacted the Ward Councillor to confirm whether they would like to call this application in to Planning Control Committee. The Ward Councillor confirmed that they would not wish to call this in, subject to consideration around the height of the hedgerow on the frontage with Ashwell Street

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site is an area of land located between 35 Ashwell Street and the properties within the Broadchalke quarry, on the south side of Ashwell Street. The site has been the subject of several applications and has recently seen the completion/near completion of 2NO detached dwellings. The sites topography increases away from the highway and narrows towards the rear of Plot 1, before opening again behind Plot 2.

4.2 **Proposal**

4.2.1 Planning permission is sought for the erection of two detached double garages (as amended by plans received 28th November 2023). The garages will be sited in front of each dwelling and are similar in scale, with slightly different roof pitch orientation and external materials relative to each dwelling's materials.

4.3 **Key Issues**

4.3.1 The key considerations are design, the impact on the amenities of neighbouring properties, and parking.

Design

4.3.2 Policy D1 of the Local Plan states that planning permission will be granted provided that development responds positively to the site's local context in addition to other criteria. Policy D2 of the Local Plan states that planning permission for house extensions and outbuildings, permission will be granted if the extension/outbuilding is sympathetic to the existing house in height, form, proportions, roof type, window details, materials; the orientation of the main dwelling and if it does not dominate adjoining properties, if it does not harm to the character and appearance of the site and street scene. These considerations are echoed in Section 12 of the NPPF.

- 4.3.3 The proposed development looks to erect two detached double garages in front of each dwelling (Plot 1 and Plot 2). The garages would measure 5.65m deep and 5.83m wide, with a dual-pitched roof measuring 2.32m to eaves and 4.23/4.18m to ridge. The Plot 1 garage would have a front facing gable and be finished in a black stained timber boarding/buff facing brickwork to the external walls, slate tiles to the roof and a grey up and over garage door. The Plot 2 garage would have a side facing gable and be finished in light brown stained timber boarding/blue bricks, a zinc roof and a grey up and over door.
- 4.3.4 In my view, the garage for Plot 1 has been designed with materials that would match that of the host property, ensuring a sympathetic relationship. The Plot 1 dwelling measures approx. 2.8m to eaves and 5.2m to ridge, which is taller than the 2.3m to eaves and 4.2m to ridge of the proposal, which will ensure the garage is relatively subservient in my opinion. It is noted that the proposed garage in this location would be in a prominent raised position, given that it would be in front of the dwelling. However, under the most recent application approved for this dwelling (ref: 22/00555/S73), a timber pergola type structure was permitted in the place where this garage is proposed. I note that the likely occupants of these dwellings would want secure storage for their vehicles and in my view, the design of this garage is sympathetic to the host dwelling, using matching materials and similar forms, and whilst visible in the street scene would not result in material harm to its character and appearance, in the context of the already determined pergola structure and as in time it would be largely screened from view once the landscaping approved under ref: 22/02162/DOC is mature. This side of Ashwell Street is quite unique with no prevailing form or character and the roof ridge/eaves would likely fit with the topography of the dwelling/site which slopes upwards. Moreover, the extension to the turning area as shown on the proposed site plan would likely constitute permitted development and in any case, is considered acceptable in planning terms. A condition will be implemented on this permission to ensure that the hedgerow on the frontage with Ashwell Street is maintained as agreed under the above DOC application, as this was fundamental to the consideration of the previous consents. I do not agree with the concerns raised by the neighbour and Parish Council on design issues, as any view agreeing to such would not hold up in an appeal scenario in my opinion, in light of the aforementioned rationale. As such, the proposed garage in front of Plot 1 is considered acceptable in design terms.
- 4.3.5 The garage for Plot 2 has also been designed to match the host dwelling, which is acceptable. The garage has been re-located to be closer to the Plot 2 dwelling and the roof pitch has been re-orientated, to mitigate some of the concerns raised by No.35 Ashwell Street with respect to overlooking from the terrace area. In my opinion, this is appropriate and does not materially impact the use of the garage/turning area. The garage will be subservient to the host dwelling and is therefore considered acceptable in design terms. Again, I do not share the same concerns raised by the neighbour and Parish Council for the reasons given above.
- 4.3.6 The proposal is therefore deemed acceptable in design terms and in accordance with Policies D1 and D2 of the Local Plan and Section 12 of the NPPF.

Impact on Neighbours

- 4.3.7 Policy D3 of the Local Plan states that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions.

- 4.3.8 The proposed garage at Plot 1 will be visible over the share boundary with No.35. However, given its location and the 3.0m distance from the shared boundary with No.35, is unlikely to result in any material harm to the reasonable living conditions and well-being of the immediate neighbour, with respect to overlooking, overdominance and loss of privacy.
- 4.3.9 The proposed garage at Plot 2 will also be visible over the shared boundary with No.35, given its location and the 3.0m distance from the boundary. The garage has been relocated to be closer to the dwelling and has been reorientated, thus blocking potential overlooking from the terrace area to the garden of the neighbour. This is reasonable in my view and looks to mitigate against mutual amenity issues, with No.35 and Plot 1. Overall, the amended proposal goes some way to mitigate the concerns raised by the neighbour and as a result, the proposal is unlikely to result in any material harm to the reasonable living conditions and well-being of the immediate neighbours, with respect to overlooking, overdominance and loss of privacy.
- 4.3.10 As such, the proposal will not cause unacceptable harm to living conditions, in line with Policy D3 of the Local Plan.

Parking

- 4.3.11 The siting of the garage in front of Plot 1 would not class as parking spaces given that the garage is below the 7.0m x 3.0m requirements under the Vehicle Parking SPD. The dwelling is a 4-bedroom property where 2 spaces are required. That said, the turning area in front of the property is proposed to be extended which would allow for the parking of 2 vehicles and enough space for turning. As such, the proposal is considered acceptable in this respect in line with Policy T2 of the Local Plan.
- 4.3.12 The siting of the garage in front of Plot 2 would also not class as parking spaces, given its size. Plot 2 has a much larger area for the parking and manoeuvring of private vehicles, which can safely accommodate at least 2 vehicles in my view. Therefore, the proposal is considered acceptable in parking terms, in line with Policy T2 of the Local Plan.

4.4 **Conclusion**

- 4.4.1 The proposal is considered acceptable in planning terms and in accordance with Policies D1, D2, D3 and T2 of the Local Plan, as well as Section 12 of the NPPF.

4.5 **Alternative Options**

- 4.5.1 N/A

4.6 **Pre-Commencement Conditions**

- 4.6.1 N/A

5.0 **Recommendation**

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

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. The garages hereby permitted shall only be finished in the materials that match each of the host dwellings, as stated on drawing number PM/23/15/L4b and thereafter shall be retained as such, unless otherwise agreed in writing by the LPA.

Reason: To ensure that the buildings are in-keeping with the host properties and to protect the visual amenities of the locality and to comply with Policies D1 and D2 of the North Hertfordshire Local Plan 2011 to 2031.

4. The hedgerow planted in front of Plot 1 on the boundary with Ashwell Street shall be maintained as agreed under the approved landscaping scheme (ref: 22/02162/DOC), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the agreed landscaping measures are carried out to maintain the character and appearance of the area, in accordance with Policy D1 of the Local Plan.

Proactive Statement:

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

<p>Signed</p> <p></p> <p>Anne McDonald</p>	<p>Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF</p>
<p>Determining Officer</p> <p>Date: 28 November 2023</p>	