

**WELWYN HATFIELD BOROUGH COUNCIL  
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

**DELEGATED APPLICATION**

**Application No:** 6/2022/0922/FULL  
**Location:** 11 Tolmers Gardens Cuffley Potters Bar Hertfordshire EN6 4JE  
**Proposal:** Conversion and extension to existing single dwelling house to create 4x 1 bed apartments with associated infrastructure  
**Officer:** Ms Kirsty Shirley

**Recommendation:** Refused

6/2022/0922/FULL

| <b>Context</b>                                   |   |
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| <b>Site and Application description</b>          | <p>Brookmans Park, Cuffley and Digswell are all characterised as large villages in the north and south of the district which grew mainly during the 20<sup>th</sup> Century as commuter settlements based around railway stations. They are generally characterised by detached dwellings on large plots, with adequate distancing from another, albeit within a variety of different settings.</p> <p>The application site is located on the south side of Tolmers Gardens in the settlement of Cuffley. The road is a residential cul-de-sac close to the centre of Cuffley containing detached dwellings, semi-detached dwellings and an apartment block. The ground level rises along the street and the roadway curves so there is not a continuous building line.</p> <p>The application site is comprised of a two storey detached dwelling with front driveway and rear garden. The site also contains a part of rear land associated with No. 12 Tolmers Gardens.</p> <p>The proposal is for the extension of the existing dwelling and conversion of the dwelling into four self-contained units.</p> |
| <b>Constraints (as defined within WHDP 2005)</b> | <p>PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 0<br/>           Wards - Northaw &amp; Cuffley - Distance: 0<br/>           A4D - ARTICLE 4 DIRECTION - Distance: 0<br/>           FM30 - Flood Zone Surface Water 30mm (1901709) - Distance: 0<br/>           FM10 - Flood Zone Surface Water 100mm (496) - Distance: 0<br/>           FM10 - Flood Zone Surface Water 100mm (2746799) - Distance: 0<br/>           FM00 - Flood Zone Surface Water 1000mm (18092) - Distance: 0<br/>           HEN - No known habitats present (medium priority for habitat creation) - Distance: 0<br/>           SAGB - Sand and Gravel Belt - Distance: 0</p>  |
| <b>Relevant planning history</b>                 | <p>Application Number: S6/1985/0619/FP<br/>           Decision: Granted<br/>           Decision Date: 13 November 1985<br/>           Proposal: Two storey rear extension</p> <p>Application Number: 6/2017/2218/PA</p>   |

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|  | <p>Decision: Refused<br/> Decision Date: 21 December 2017<br/> Proposal: Demolition of buildings on No. 11 and No. 12 Tolmers Gardens, Cuffley. Build two new properties across the plots of No. 11, No. 12 &amp; No.13 comprising of:<br/> Building A on RHS on Tolmers Gardens: 6 flats<br/> Building B on LHS on Tolmers Gardens: 8 flats<br/> The two new properties mentioned would resemble two pair of semi-detached properties. Also, build new building of 10 flats at the end of the gardens of No. 9 &amp; No. 10 Tolmers Gardens. With parking to the rear of the plots of No. 9,10,11,12 Tolmers Gardens. Vehicle access would be via a new access road between the plots of No. 12 &amp; No. 13. 30 spaces in total. One parking space per flat (24). Plus 6 visitor spaces</p>   |           |          |
| <b>Consultations</b>   |   |           |          |
| <b>Neighbour representations</b>   | Support: 0  | Object: 4 | Other: 0 |
| <b>Publicity</b>   | Site Notice Display Date: 10 June 2022<br>Site Notice Expiry Date: 1 July 2022<br>Neighbour notification letter   |           |          |
| <b>Summary of neighbour responses</b>  | <p>Four objections have been received from residents of Tolmers Gardens. A summary of the objections are as follows:</p> <ul style="list-style-type: none"> <li>• The increase in roof height will result in the roof lights on the west side impacting our privacy, blocking our light and devaluing our property.</li> <li>• There is insufficient parking in the site and already car parking issues in the area</li> <li>• The proposed site needs its own refuse area</li> <li>• The boundaries between 11 and 12 would be removed</li> <li>• There are sewerage issues in the area which this development will exacerbate</li> </ul>  |           |          |
| <b>Consultees and responses</b>  | <p>Northaw &amp; Cuffley Parish Council – Object: <i>The Parish Council wish to raise a Major Objection based on insufficient parking, overdevelopment and detrimental to the street scene.</i></p> <p>HCC Hertfordshire Transport Programmes &amp; Strategy – Object: <i>The highway authority recommends that the application is refused due to a lack of information regarding the vehicle crossing and visibility splays, the size of the proposed parking spaces and the proposed use of the neighbouring bin store.</i></p> <p>WHBC Client Services – Comment: <i>The properties could be incorporated onto the existing ARRC scheme. The scheme intends to share the refuse area with No. 12 however there is a maximum carry distance in the BS Code of Practice one can expect a resident to carry their waste.</i></p> <p>WHBC Public Health and Protection – Comment: <i>Recommend planning application is permitted but with conditions</i></p> <p>WHBC Parking Services – no response.</p> |           |          |
| <b>Relevant Policies</b>   |   |           |          |
| <input checked="" type="checkbox"/> NPPF<br><input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input type="checkbox"/> GBSP1 <input checked="" type="checkbox"/> GBSP2 <input checked="" type="checkbox"/> M14 |   |           |          |

Supplementary Design Guidance    Supplementary Parking Guidance    Interim Policy for car parking and garage sizes

Others:

SD1 Sustainable Development  
D8 Landscaping  
R1 Maximising the Use of Previously Developed Land  
R17 Trees, Woodlands and Hedgerows  
R19 Noise and Vibration  
H2 Location of Windfall Housing Development  
H3 Loss of Residential Accommodation  
H4 Conversion of Residential Accommodation

Emerging Local Plan

SADM1 Windfall Development  
SADM11 Amenity and Layout  
SADM12 Parking, Servicing and Refuse  
SP1 Delivering Sustainable Development  
SP9 Place Making and High Quality Design

**Main Issues**

**Principle of Development**

District Plan Policy SD1 states that development proposals will be permitted where it can be demonstrated that the principles of sustainable development are satisfied and that they will accord with the objectives and policies of the District Plan. Policy R1 requires development to take place on previously developed land and Policy GBSP2 directs new development into the existing towns and specified settlements within the district. These objectives are consistent with the National Planning Policy Framework (NPPF) which supports the development of under-utilised land and buildings and the efficient use of land taking into account, amongst other criteria, the desirability of maintaining an area's prevailing character and the importance of securing well-designed and attractive places.

The site has not been allocated for additional housing supply and as such comes forward as a windfall residential site where Policy H2 applies. Policy H2 of the District Plan relates specifically to applications for windfall housing development and states that all proposals of this type will be assessed for potential suitability against the following criteria:

- (i) The availability of previously-developed sites and/or buildings;*
- (ii) The location and accessibility of the site to services and facilities by transport modes other than the car;*
- (iii) The capacity of existing and potential infrastructure to absorb further development;*
- (iv) The ability to build new communities to support infrastructure and provide demand for services and facilities;*
- (v) The physical and environmental constraints on development of land.*

Policy SADM1 is also relevant in regards to windfall housing development. This policy is similar to Policy H2 of the District Plan but adds that the proposal should not undermine the delivery of allocated sites or the overall strategy of the Plan; and proposals would not result in disproportionate growth taking into account the position of a settlement within the settlement hierarchy.

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|  | <p>This application is for the extension and conversion of the existing dwelling house within the site to create four one-bedroom apartments.</p> <p>The site is located within Cuffley which is designated in Policy GBSP2 as a sustainable location to which development will be directed. It is also located within an area which is accessible by non-car modes of transport and where there are services and facilities available within walking distance of the site. In principle there is no objection to this site being used for residential purposes in land use terms, subject to the physical and environmental constraints of the site and its immediate vicinity and other relevant planning policies.</p> <p>Policy H3 deals with loss of residential accommodation and states that planning permission will not be granted for redevelopment which would result in the net reduction in the number of dwellings within the district. The policy does not deal specifically with the loss of ‘family homes’. In this case, the proposed conversion of the existing single dwelling to form 4 self-contained flats would result in a net increase of three dwellings and therefore accords with Policy H3 of the Welwyn Hatfield District Plan.</p> <p>Policy H4 outlines that the Council will generally support applications for the conversion of large residential units to provide smaller self-contained units provided that it does not result in a development that is detrimental to the appearance of the application building and the visual amenity of the area; would not adversely affect the amenity of neighbouring residential properties; and would provide appropriate amenity space. These issues are discussed below.</p>   |
| <p><b>Design (form, size, scale, siting) and Character (appearance within the streetscene)</b></p> | <p>District Plan Policies D1 and D2 respectively require high quality design in all new development and for proposals to respect and relate to the character and context of their location, maintaining and where possible enhancing the character of the existing area. These policies are expanded upon in the Council’s Supplementary Design Guidance (SDG) which requires the impact of a development to be assessed giving regard to the bulk, scale and design of the proposal and how it harmonises with the existing building and area. Policy GBSP2 directs new development into the existing towns and specified settlements within the district, providing that it will be limited to that which is compatible with the maintenance and enhancement of their character. These policies are consistent with the design policies contained in the Emerging Local Plan (SP1 and SP9) and the NPPF.</p> <p>Paragraph 126 of the NPPF clearly advises that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve and that good design is a key aspect of sustainable development. At paragraph 130, the NPPF further advises that decisions should ensure developments will function well, be visually attractive, sympathetic to local character and establish a strong sense of place. Paragraph 134 is clear that <i>“Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.”</i></p> <p>The Council’s Supplementary Design Guidance (SDG) expands on Policies D1 and D2 of the District Plan and outlines, amongst other things, that:</p> |

- Extensions should be designed to complement and reflect the design and character of the dwelling and be subordinate in scale;
- The spacing of buildings adjacent to and in the immediate locality of the site should be reflected;
- For all two-storey side extensions, a minimum distance of 1 metre between the extension and the adjoining flank boundary must be maintained. This spacing is to prevent overdevelopment across plot widths and a terracing

The proposed development is for extensions to the existing dwelling and to convert the development into four self-contained units.

The immediate area is characterised by detached dwellings with hipped roofs on moderately sized plots. There is an example of a pair of two storey semi-detached dwellings within the street. Adjoining the site is No. 12, a recent development comprising of eight self-contained units following the demolition of the bungalow in the site which was approved in 2018. The development proposed in this application is similar to the development at No. 12, however the existing dwelling on site would be extended and converted to four self-contained units rather than demolished and units built.

The application site contains a two storey detached featuring a hipped roof. The application dwelling measures approximately 8.3m in height, approximately 12.2m in length and approximately 6.9m in width (excluding the semi-detached garage). The application dwelling has a footprint of approximately 96.5m<sup>2</sup> within a plot that measures approximately 312.4m<sup>2</sup>.

The proposed development would increase the size and scale of the existing dwelling on all floors, and notably at ground floor level due to a proposed single storey side to rear extension. The extensions at the ground floor level would project alongside the boundary line with No. 9 and intermittently project towards the boundary line with No. 12, with the extension then projecting towards the rear of the site. The existing garage would be converted to a habitable space and the side extensions would be setback from the front elevation, with the width of the front elevation remaining. The rear extension would occupy almost the entirety of the current rear garden serving the dwelling within the site. At first floor level, there would be a partial rear extension which would extend across approximately two thirds of first floor rear elevation, with intermittent projections at first floor level extending from either side of the dwelling, which would be repeated at the second floor level. There would be no increase in roof height, however the roof form would be altered.

The majority of dwellings in this area maintain at least a 1m separation distance above ground floor level. The proposed development would result in a lack of relief between the proposed building and adjoining neighbours, significantly reducing the space around the dwelling and appearing cramped compared to surrounding development.

By virtue of the site layout and relationship with adjoining premises, the bulk and mass of the proposed building, in particular the proposed depth and width of the building, would be visible and harmful to the character of the area and would appear cramped and contrived within the site.

The existing dwelling features a hipped roof and the proposal would introduce

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|  | <p>a mansard roof form, which is not characteristic or featured predominantly in the area. The design and style of the mansard roof would add significant bulk at the roof level, substantially increasing the massing at ridge height. The eaves of the proposed mansard roof would project outwards from the front flank elevations of the dwelling, and the roof would be approximately a third of the height of the dwelling. The form, size and scale of the proposed roof would result in the roof to appear overbearing and top heavy towards the application building, detracting from the appearance of both the building and wider area.</p> <p>Furthermore, the degree of pitch at the front roofslope would differ from that of the rear pitch. Due to the partial first floor rear extension, there are two rear roofslopes which would not match one another or the front roofslope in terms of pitch degree. The rear roofslope of the proposed partial first floor extension would feature a cut out to allow for a Juliet balcony and window to serve the second floor. The cut out would be square in shape, and the flank roofslopes of this part of the roof would have further differences in degree pitch. Such differing degrees of pitch across the roofslope would result in an incongruous and mismatched roof, and subsequently represent poor design.</p> <p>Consequently, it is therefore considered that the design of the proposed building, in terms of scale, size, massing, bulk and style would appear as an incongruous and discordant building within the street scene. Accordingly, the proposal is considered to be in conflict with District Plan Policies D1 and D2; Policy SP9 of the Emerging Local Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.</p>   |
| <p><b>Living conditions for future occupiers</b></p> | <p>District Plan Policy D1, in conjunction with the SDG, outlines that development will be required to provide a good standard of amenity for buildings and external open spaces. Paragraph 130 of the NPPF outlines that decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Emerging Policy SADM11 requires, as a minimum for proposed dwellings, to meet the Nationally Described Space Standard, unless it can be robustly demonstrated that this would not be feasible or viable. The Standards outline the minimum requirements floor space and storage for new dwellings.</p> <p>The proposed flats would be of adequate size to meet local and national policy. While the flats are described as one bedroom, proposed flats 2, 3 and 4 would have studies that would meet the NDSS standards for a single bedroom. It is therefore likely throughout the lifetime of the building that flats 2, 3 and 4 would be used as a two bedroom dwelling.</p> <p>In terms of private amenity space, Policies H4 and D1 of the District Plan, SADM11 of the Emerging Local Plan and the Supplementary Design Guidance requires all residential development to incorporate private amenity space for the use of residents. The Council does not apply rigid standard sizes but space should be functional and usable in terms of its orientation, width, depth and shape. The Council will look at the size of the unit proposed in relation to the size of the garden.</p> <p>The plans submitted with this application indicate that the rear garden space serving the flats at adjoining neighbour No. 12 would also serve the residents of the proposed development. The proposed rear extension in the development would occupy almost all of the rear garden currently serving the application dwelling, with a modest patio area contributing to the rear amenity</p> |

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|                                    | <p>space from the proposal, which would increase the rear amenity space from approximately 204m<sup>2</sup> to approximately 245m<sup>2</sup>. A path would be laid to connecting the proposed development to the existing hard surface area in the garden for the use of the current residents of No. 12. No. 12 has 8 flats and the proposed development would provide 4 flats.</p> <p>It is likely during the lifespan of the both the proposed development and existing development at No. 12, at any one time that the dwellings would be inhabited by one person, with potentially more occupants given dwellings may have more than one bedroom and bedrooms would likely be shared. The proposed amenity space would be insufficient in size and form to accommodate useable amenity space for the amount of occupants the amenity space provides, preventing future and existing occupiers experiencing appropriate living conditions. This arrangement would diminish the ability of future and existing residents from undertaking outdoor recreation, including play, as well as reducing opportunities of matters such as the storing of household waste or undertaking domestic tasks such as the drying of washing.</p> <p>The development would therefore be in conflict with District Plan Policies D1 and H4; Policies SP9 and SADM11 of the Emerging Local Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.</p>  |
| <p><b>Impact on neighbours</b></p> | <p>Four neighbouring objections have been received regarding this development. Concerns raised regarding parking have been addressed elsewhere in this report. Concerns were also raised regarding sewerage and the development's impact on devaluing their property, however these are not material planning considerations.</p> <p>In regards to privacy, no windows would be inserted into the side elevation that faces towards adjoining neighbour No. 9, protecting the privacy of the occupants at this address. Windows would be inserted across the ground floor, first floor and roof level that faces towards No. 12. The side elevation of No. 12 that faces towards the application building features two rooflights, one first floor window towards the rear of the side elevation and two ground floor windows. Concerns have been raised that the proposed rooflights in the west facing roofslope would overlook No. 12. However, it is considered that the position and orientation of these rooflights would not overlook the occupants of No. 12, and that the positioning of the windows in the side elevation of the dwelling would not directly overlook the windows of the side elevation of No. 12 facing towards the building, resulting in the privacy of occupants of the flats in No. 12 to be maintained.</p> <p>In regards to outlook, concerns have been raised that the development would obscure the outlook of residents in No. 12. While it is acknowledged that the development would add considerable bulk and massing to the existing dwelling, it is considered that the positioning and scale of the development would not result in an unduly dominant or overbearing development that would detrimentally alter the outlook of occupants at No. 12.</p> <p>In regards to sunlight, the application site and properties on the same row in the street have south west facing gardens, benefitting from sunlight from the late morning until the evening. The proposed single storey rear extension would be built along the boundary line with No. 9, and a substantial amount of built form would feature along this boundary. The topography of the area is</p> |

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|  | <p>sloping, resulting in the application site to be situated on higher ground than No. 9 and exacerbating the height and scale of the rear extension towards No.9. The position and scale of the proposed rear extension of the development would therefore result in the most useable part of No. 9's garden to become overshadowed much earlier in the day, resulting in these occupiers to experience a detrimental loss of light.</p> <p>The development would therefore be in conflict with District Plan Policy D1; Policies SP9 and SADM11 of the Emerging Local Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.</p>  |
| <p><b>Access, car parking and highway considerations</b></p> | <p>In terms of parking paragraph 107 of the NPPF states that if setting local parking standards authorities should take into account the accessibility of the development; the type, mix and use of the development; the availability of and opportunities for public transport; local car ownership levels; and the need to ensure an adequate provision of spaces for charging plug-in and other ultralow emission vehicles.</p> <p>District Plan Policy M14 and the Parking Standards SPG use maximum standards which are not consistent with the NPPF and are therefore afforded less weight. In light of the above, the Council have produced an Interim Policy for Car Parking Standards that states that parking provision will be assessed on a case by case basis and the existing maximum parking standards within the SPG should be taken as guidance only.</p> <p>The application site is within Zone 4, where one bedroom dwellings should be provided with 1.25 car parking spaces. As discussed earlier however, three of the proposed dwellings could provide two bedrooms. Two bedroom dwellings in this location should provide 1.5 car parking spaces. The plans submitted show four car parking spaces to the front of the application site, resulting in an under provision in car parking spaces.</p> <p>Encouraging walking, cycling and use of other low emission transport in place of private car use is in favour of this application. The application site would provide further cycle parking to the rear of the development and would be located approximately 0.2 miles from the Cuffley train station on Station Road and approximately 0.3m from the nearest bus stop on Plough Hill. Shops and services would also be in close proximity on Station Road.</p> <p>While there is a need to reduce reliance on private vehicles, their use is still prevalent and often required for trips not served by public transport. Development therefore needs to accommodate an appropriate level of parking. Tolmers Gardens has experienced car parking issues in the past, evidenced by the current car parking restrictions in place, and it is therefore considered that a shortfall in car parking spaces for this application would not be acceptable.</p> <p>The development would therefore result in inadequate car parking provision, contrary to District Plan Policy M14; Supplementary Planning Guidance; Interim Policy for Car Parking and Garage Sizes; and the National Planning Policy Framework.</p> |
| <p><b>Landscaping Issues</b></p>                             | <p>District Plan Polices R17 and D8 require the retention of landscape features such as trees and hedges and outline that this type of development should include landscaping as an integral part of the overall design. Paragraph 130 of</p>   |



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|  | <p>the NPPF requires new developments to ensure appropriate and effective landscaping.</p> <p>A landscaping scheme has not been submitted with this application, however such a scheme can be secured by condition in the event of an approval.</p>   |
| <p><b>Any other considerations</b></p> | <p><i>Refuse and Recycling</i></p> <p>The proliferation of bins can create a considerable amount clutter which in turn has a harmful impact upon the visual amenity of the streetscene and the character of the area contrary to Local Policies D1 and D2. Inappropriate storage of bins on the highway can also disrupt pedestrian and traffic movements contrary to the NPPF.</p> <p>The submitted plans demonstrate that the proposed development would share the bin storage facilities with the residents of No. 12. The bin store is located to the north of No. 12 and would remain as existing. The Client Services team have raised concerns regarding the distance of the bin store and the distance one can expect a resident to carry their waste. The bin store would be a travelling distance of approximately 40m from the application site. Such a travelling distance would be inconvenient and onerous on a resident to carry household waste.</p> <p>It is considered probable that residents of the proposed development would leave the bins in proximity to the proposed building, likely on the greenery to the front of the site to avoid blocking the footpath or car parking spaces. However, the bins could be left in one of these locations for long periods of time before and/or after being emptied.</p> <p>The National Design Guide (H3) points out that <i>“Well-designed places include a clear attention to detail. This considers how buildings operate in practice and how people access and use them on a day-to-day basis, both now and in future. They include: Local waste storage, management and pick up: Refuse bins for all the different types of collection, including landfill, recycling and food waste. They are accessible and well-integrated into the design of streets, spaces and buildings, to minimise visual impact, unsightliness and avoid clutter. Where refuse bins are required to be on a street frontage or in a location that is visible from a street, they are sited within well-designed refuse stores that are easy for occupants to use.”</i></p> <p>The potential for resulting bin clutter would be likely and this would be visually intrusive within the street scene, harming the character and appearance of the surrounding area. The development therefore represents a poor standard of design, in conflict with District Plan Policies D1 and D2; Policies SADM11 and SP9 of the Emerging Local Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.</p> |
| <p><b>Planning balance</b></p>         | <p>Policy SD1 of the District Plan and Policy SP1 of the Draft Local Plan require that proposals will be permitted where it can be demonstrated that the principles of sustainable development are satisfied and that they accord with the objectives and policies of the Development Plan. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF outlines, in its introduction, three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles. Of particular relevance to this</p>   |

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|  | <p>application is an economic role, among others, to ensure land is available in the right places to support growth; a social role to support strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations; as well as an environmental role which includes protecting and enhancing the environment.</p> <p>The NPPF does not require development to jointly and simultaneously achieve planning gain in each of the three considerations. It is sufficient for all three to be considered and for a balance between benefit and adverse effects to be achieved across those three areas.</p> <p>The proposed development would deliver three additional dwellings in a Borough where a shortfall in housing has been identified. Short term economic benefits would also arise from the construction of the development. Social and environmental benefits arising from the development would include the provision of a comfortable new home within walking distance to shops and services.</p> <p>The Council's current position in respect of housing land supply is acknowledged: <i>"The Government published the housing delivery test results on 19 January 2021. It confirmed that Welwyn Hatfield had built 1,450 homes in the period 2017/18-2019/20 against a target of 2,284. This equates to 63% because supply has fallen below 75%, the Council needs to apply the presumption in favour of sustainable development when determining planning applications, which means granting planning permission unless there are clear reasons for refusal."</i></p> <p>Paragraph 11(d) of the NPPF states that where the policies which are most important for determining the application are out-of-date permission should be granted unless:</p> <p>(i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason of refusing the development proposed; or</p> <p>(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.</p> <p>In this case, although the tilted balance is engaged, only limited weight could be attributed to the net increase of three additional dwellings. It is considered that the identified harm caused by the development would significantly and demonstrably outweigh these benefits when assessed against the policies of the NPPF as a whole and as such provides a clear reason for refusing the scheme.</p> |
| <p><b>Conclusion</b></p>   |  |
| <p>The proposed development would result in conflict with the District Plan; Emerging Local Plan; the Supplementary Design Guidance; and the NPPF, and therefore it is recommended that planning permission is refused for this application.</p> |  |

### **Reasons for Refusal:**

1. The design of the proposed building, in terms of scale, size, massing, bulk and style would appear as an incongruous and discordant building within the street scene. Accordingly, the proposal is considered to be in conflict with District Plan Policies D1 and D2; Policy SP9 of the Emerging Local Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.
2. The proposed conversion of the building to form four residential flats, by virtue of inadequate and insufficient amenity space provision for both existing occupiers of No. 12 and future occupiers of the proposed development, would represent unsatisfactory living accommodation for the future occupants. Accordingly, the development would be of a poor standard of design, failing to take the opportunities to function well and add to the overall quality of the area, contrary to Policies D1 and H4 of the District Plan; Policies SP9 and SADM11 of the Emerging Local Plan; Supplementary Design Guidance; and the National Planning Policy Framework.
3. The proposed development would result in the most useable part of No. 9's garden to become overshadowed much earlier in the day, resulting in these occupiers to experience a detrimental loss of light, contrary to District Plan Policy D1; Policies SP9 and SADM11 of the Emerging Local Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.
4. The development would result in inadequate car parking provision, contrary to District Plan Policy M14; Supplementary Planning Guidance; Interim Policy for Car Parking and Garage Sizes; and the National Planning Policy Framework.
5. The potential for resulting bin clutter would be likely and this would be visually intrusive within the street scene, harming the character and appearance of the surrounding area. The development therefore represents a poor standard of design, in conflict with District Plan Policies D1 and D2; Policies SADM11 and SP9 of the Emerging Local Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.

### **REFUSED DRAWING NUMBERS**

| <b>Plan Number</b> | <b>Revision Number</b> | <b>Details</b>       | <b>Received Date</b> |
|--------------------|------------------------|----------------------|----------------------|
| 21005_PL(90)001    |                        | Site Location Plan   | 19 April 2022        |
| 21005_PL(90)002    |                        | Existing Site Plan   | 19 April 2022        |
| 21005_PL(90)003    |                        | Proposed Site Plan   | 19 April 2022        |
| 21005_PL(20)001    |                        | Existing Floor Plans | 19 April 2022        |
| 21005_PL(20)002    |                        | Existing Roof Plan   | 19 April 2022        |

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|---------------------|------------------------------------|---------------|
| 21005_PL(2<br>0)003 | Proposed Floor Plans 1 Of 2        | 19 April 2022 |
| 21005_PL(2<br>0)004 | Proposed Floor Plans 2 Of 2        | 19 April 2022 |
| 21005_PL(2<br>6)001 | Existing Sections                  | 19 April 2022 |
| 21005_PL(2<br>6)002 | Proposed Sections                  | 19 April 2022 |
| 21005_PL(2<br>5)001 | Existing Elevations West<br>East   | 19 April 2022 |
| 21005_PL(2<br>5)002 | Existing Elevations North<br>South | 19 April 2022 |
| 21005_PL(2<br>5)003 | Proposed Elevations West<br>East   | 19 April 2022 |
| 21005_PL(2<br>5)004 | Proposed Elevations North<br>South | 19 April 2022 |

1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Council's website or inspected at these offices).

**Determined By:**

Mr Derek Lawrence  
7 July 2022