

# REPORT FOR INDEPENDENT INSPECTOR

## 5 Croft Lane, Letchworth Garden City



### 1. Matter for Consideration

- 1.1 The appellant subject of this appeal sought consent for - Two storey side extension and single storey rear extension following the demolition of the existing garage.

### 2. Background

- 2.1 The subject property is Freehold and is subject to the Scheme of Management. The surrounding area is designated as the **Heritage Character Area**. The property is also a Home of Special Interest and is a Grade II listed building.
- 2.2 The following is a description of the property taken from Mervyn Millers study:

*Nos. 5 and 7. Architect: Geoffry Lucas (1905/6). Pair of small semi-detached cottages. Roughcast above brick plinth, weatherboarding in prominent dormer windows, roof at centre swept down over original twin porches, some original timber windows survive, and some modern carefully installed double-glazed units. Building of Local Merit.*

2.3 The property has been the subject to the following most recent applications:

| Nature of Works   | Outcome                       |
|---|-------------------------------|
| Side and rear storey and a half extension, demolition of single storey garage | Approved at HAC December 2022 |
| Re-surface and extend front hardstanding, tree removal, new gate and shed     | Approved May 2018             |

2.4 Listed Building Consent 24/01976/LBC was granted in November 2024 for: Two-storey side and single-storey rear extension (incorporating black solar panels to single-storey roof) following demolition of existing detached garage. Internal works (as amended by plan nos. 301A, 302A & 306A received 21st October 2024).

Planning permission 24/01975/FPH was also granted in November 2024 for the above works in addition to a detached garden store.

2.5 A location plan is available in **Appendix A**.

### 3. Application

3.1 We initially received an application for a one and a half storey side and rear extension, which included the demolition of the single storey garage, in October 2022. The proposed extension was a total of 5m in depth from the original rear elevation of the building. We received two neighbour comments, one in support of the scheme and one neutral, and this application was considered and approved by the Householder Applications Committee (HAC) in November 2022. It is our understanding that the associated LBC and Householder Planning applications for these works were subsequently objected to by NHDC and withdrawn.

3.2 The current application, which is an amendment of the previous scheme in order to address the objections from NHDC, for a two storey side extension and single storey rear extension, which includes the demolition of the single storey garage, was received in September 2024. We received one neighbour comment from the adjoining property in support of the application.

3.3 During the course of the application, the case officer met with the applicant on site to discuss the proposals, at which time it was recommended that the depth of the rear extension be reduced to 5m in total in order to comply with the Design Principles. It was noted that if this amendment was not made to the scheme, that the application was likely to be recommended for refusal by the HAS team when it was considered by the HAC. The applicant subsequently reduced the total depth of the rear extension to 6.5m following this discussion. However, as this remained contrary to the Design Principles, the application was put forward to HAC with a recommendation for refusal.

- 3.4 This application was considered and refused by the HAC in November 2024. The applicant was given the opportunity to amend the proposals in line with HAC's comments/recommendation in order to receive an approval on the application. However, the applicant chose to receive a refusal on the application based on the proposals that had been considered by HAC.
- 3.5 The applicant asked for this decision to be reviewed by the Advisory Management Committee (AMC) who considered the application in March 2025. AMC's recommendation was to approve the application, overturning the original decision to refuse. However, the HAC again refused the application following AMC's recommendation in April 2025.
- 3.6 The application was initially referred to HAC for a decision as the agent/applicant is a Governor. Were this not the case, the application would have been refused by the HAS team under their delegated powers.

## 4. Scheme of Management and the Design Principles

- 4.1 The Scheme of Management under the Leasehold Reform Act 1967 in the covenants section at point 6 states:

*Restriction on further development*

*6. Any owner shall not carry out any development redevelopment or alteration materially affecting external appearance of the enfranchised property or of any building or structure thereon save with the written consent of the Corporation (which shall not be unreasonably withheld) and in accordance with plans drawings and specifications previously submitted to and approved by the Corporation. Any such development redevelopment or alteration shall be made in accordance with the approved plans drawings and specifications and shall be carried out in a good substantial and workmanlike manner with sound and proper materials.*

- 4.2 The Design Principles for the Heritage Character Area state –

### **Pg 8 - Rear Extensions**

- The area and volume of the proposed extension shall be subservient and in proportion to the existing house and plot.
- An appropriate rear garden should be provided to ensure that an adequate private amenity provision is retained and to prevent a cramped or over-developed appearance.
- Ground floor and 2 storey extensions up to a depth of 5 metres from the original main rear building line of the house may be acceptable.

## **5. Issues**

- 5.1 The proposed single storey extension does not comply with the Design Principles with regards to its depth from the original rear building line (being 6.5m), and due to the size of the plot and proximity to neighbouring properties it was considered that extending beyond the 5m depth that is stipulated in the Design Principles would be disproportionate to the existing plot. Given the proximity of the neighbouring property at 3 Croft Lane to the rear boundary of the property, it is considered that the proposed extension would result in a cramped and overdeveloped appearance.

## **6. HAC Comments (November 2024)**

- 6.1 The Committee carried out a site visit to the property.
- 6.2 The Committee noted that the side element is similar to the original proposal which was approved in 2022.
- 6.3 The Committee felt that although the rear element appears more subservient [than the original scheme] being single storey, it is contrary to the Design Principles in exceeding 5m in depth [from the original rear building line].
- 6.4 The Committee felt that the width of the proposed rear addition could be increased, to accommodate the applicant's requirements; the bike store could be sited as a separate unit which would enable the depth of the rear extension to be reduced to within 5m.
- 6.5 The Committee were minded to consider the extension being reduced to under 5.5m in depth due to the Listed Building Consent approval.
- 6.6 The Committee agreed that, in line with the Design Principles, the rear element should be reduced to 5m in depth.
- 6.7 The Committee were in support of the design features.

## **7. AMC Comments (March 2025)**

- 7.1 The Committee raised concerns to any potential conflict of interest, due to the applicant's role within HAC as a Governor. CP advised that the applicant left the HAC meeting and did not take part in any discussions.
- 7.2 The Committee felt that if the proposal were to be wider, this could have a more detrimental impact on the neighbouring property; and would also alter the architectural features.
- 7.3 The Committee discussed the depth of the ground floor element but felt that the existing garage already consumes a large proportion of the garden.
- 7.4 Due to the siting of the existing garage and its proposed removal, the

Committee felt the proposal to be acceptable and felt the loss of garden space to be negligible and felt that the built area would not overly increase.

- 7.5 The Committee felt the front garden to be more of an amenity space, due to the proximity of the neighbouring property at the rear.
- 7.6 The Committee felt the rear garden to be less of an amenity space and did not feel that the proposal would have a detrimental impact on the neighbours, and therefore felt content to support the depth of 6.5m in this instance.
- 7.7 The Committee members were unanimous in recommending that the Householder Applications Committee reconsider their original decision.

## **8. HAC Comments (April 2025)**

- 8.1 The Committee noted the AMC's discussions and recommendation.
- 8.2 The Committee discussed their original concerns with the proposal being too deep for the plot; the Committee still felt that the width could be extended.
- 8.3 The Committee agreed that the proposal has been well designed, but the size of the rear extension remains contrary to the Design Principles.
- 8.4 The Committee agreed that there was not a compelling reason to deviate from the Design Principles and upheld their original decision.

## **9. Conclusion**

- 9.1 Although the AMC felt that the depth/size of the rear single storey extension would be acceptable, the HAC remained of the opinion that any addition that went beyond 5m in depth from the rear elevation of the house would be disproportionate to the plot and that there was insufficient justification to deviate from the Design Principles in this instance.
- 9.2 Overall, it is our view that the application represents a clear breach of the Design Principles, which have been carefully formulated to avoid this type of alteration. The application fails to preserve the character and appearance of the existing property and the Heritage Character Area.
- 9.3 It is therefore respectfully requested that this appeal is dismissed

Appellant