

REPORT FOR INDEPENDENT INSPECTOR



Ventersdorp, Barrington Road

1. Matter for Consideration

- 1.1 The applicant subject of this appeal sought rear extensions, garage conversion, new doors & windows, plus carport (revised scheme).

2. Background

- 2.1 The subject property is a freehold detached bungalow built in c.1920s. The surrounding area is designated as **Heritage Character Area**.
- 2.2 The property is an early Garden City property dating circa 1920 by G Gardner architect. However, it has been heavily rebuilt and extended and as such is not considered to be a Home of Special Interest.

2.3 The property has been the subject of the following applications:

Nature of Works	Outcome
Addition of both side and rear extensions; creation of new store in rear garden plus hardstanding and landscaping of the frontage	Approved 2008
Loft conversions with 7 dormers to the rear elevation, detached double garage with new access, front porch plus removal of 2 chimneys and erection of 3 chimneys	Refused 2008
Loft conversion including 3 dormer windows, 6 rooflights, re-instatement of 2 chimneys and addition of 1 chimney (retrospective)	Approved 2008
2 sun pipes, 1 roof light on the rear elevation, carriage drive, windows (stained, not painted), garage. plus, the use of new tiles on the roof of the main house (retrospective)	Retrospective Approval 2009
Rear extensions (to include hydrotherapy pool), garage conversion with new doors and windows car port at main entrance	Refused 2018

- 2.4 Planning Permission was granted from North Hertfordshire District Council on 13th November 2018, reference 18/00407/FPH
- 2.5 Originally Ventersdorp was a small detached bungalow. The original building plan is available at **Appendix A**.
- 2.6 Drawings for the proposed works can be viewed in **Appendix B** which includes a marked-up plan, identifying the building phases that have been undertaken and that are being proposed.
- 2.7 Photographs are available in **Appendix C**.
- 2.8 The HAT meeting minutes, HAC meeting minutes, AMC meeting minutes and refusal letters for the original scheme are at **Appendix D**
- 2.9 The HAT meeting minutes, HAC meeting minutes, AMC meeting minutes and refusal letters are at **Appendix E**.
- 2.10 The AMC Report is available at **Appendix F**.

3. Application

- 3.1 The property was purchased in October 2017 on behalf of a child disabled at birth through medical negligence, who will be referred to as ■ throughout this Statement of Case. The house will be ■ 'forever home'. The proposals are to modify, upgrade and extend the property to allow this. The works include a hydrotherapy pool which is attached to the house with a passageway and a dining room. The existing garage is to be converted into a guest room,

- wheelchair storage and for medical supplies in the roof space. To the front of the property it is proposed to construct a car port.
- 3.2 This is the second application for the proposed works following a refusal of the first scheme. There were no pre-application discussions prior to the first application being submitted.
- 3.3 The first application was submitted on 8th February 2018 for rear extensions (to include hydrotherapy pool), garage conversion with new doors and windows plus car port at main entrance.
- 3.4 The Team meeting reviewed the proposals on 8th March 2018 and a site meeting was arranged to discuss possible approaches to reduce the footprint of the proposal.
- 3.5 The applicant was provided with advice on the Design Principles and the following recommendations were given:
- Reduce the pool dimensions
 - Re-site the plant room – possibly in the basement adjacent to the pool itself
 - Utilise part of the garage and have the guest room in the main house
 - Change the roof design to a flat roof with brick on edge parapet detail to overcome the shallow roof pitch.
- 3.6 The application was contrary to the Design Principles and received neighbour objections. It was reported to the Householders Application Committee in September 2018 where it was refused. It was reviewed by the Advisory Management Committee on 8th November 2019 and their decision was reported to the Householder Applications Committee at 17th December 2018 where the refusal was upheld. At each of these meetings, full supporting statements and information were supplied by the appellant.
- 3.7 A second application was submitted on 24th October 2018 which is the subject of the current Independent Inspector Appeal. The application was for rear extensions, garage conversion, new doors & windows, plus carport (revised scheme).
- 3.8 The revised scheme was considered at the Heritage Advisory Team meeting of 29th November 2018. The scale and mass of the proposal were still of concern and there were neighbouring comments. The application was reported to the Householders Application Committee on 17th December 2018 where it was refused.
- 3.9 The applicant requested that the case be reviewed by the Advisory Management Committee at its meeting of 7th March 2019. The review of the AMC was reported to the Householder Application Committee at their meeting of 26th April 2019 who upheld the decision of the Householders Application Committee.
- 3.10 A request for the Independent Inspector was received in May 2019.

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 In terms of decision making on applications, the overriding legal requirement of the Scheme of Management is to preserve the standard of appearance and amenity of the Scheme area in accordance with the Design Principles and other advice that is in place.

- 4.3 Design Principles for the Heritage Character Area state:

Rear Extensions

- *Rear extensions should complement the character of the original house, utilising matching materials and detailing, and have balanced proportions and scale.*
- *Roof pitches can have a substantial impact on the appearance of a building; therefore, proposed roof pitches shall be consistent with the original roof design of the house*

Front Extensions:

Front extensions are discouraged

It is preferable for extensions to be on the rear of the property as these normally have a reduced impact on the character of the property and its context; therefore, rear additions should be explored in the first instance.

Proposals for front additions will not be supported unless it can be demonstrated that they will not cause harm to the appearance of the existing property or its group. In the rare circumstance that this type of extension is permitted; the following principles will apply:

- *Front extensions should be consistent with the character of the original house, utilising the detailing and matching materials, and have balanced proportions and scale;*

• *Roof pitches can have a substantial impact on the appearance of a building and the street scene. Therefore, all proposed roof pitches and design of the roof and roof line should be consistent with the original roof design of the house. Design shall respond to and harmonise with the individual qualities of the host building and its setting. Therefore, in all cases high quality design will be encouraged, while obviously poor design will be rejected, and alternative solutions sought.*

Outbuildings

Sheds and detached outbuildings will not normally be acceptable if they exceed 10% of the area of the rear garden, free of buildings, to a maximum of 20 square metres and/or over 3 metres in height.

• *Sheds and detached outbuildings that exceed these dimensions may be accepted if their size is not out of proportion to the house and they do not dominate the rear garden or have a significant impact on the neighbouring property, including its garden.*

5. Issues

- 5.1 This is an unusual application with the requirements being based on the needs of a disabled child. Unfortunately, there were no pre-application discussions and the proposals are contrary to the Design Principles which is the starting point for the decision making of any application.
- 5.2 The proposal is for the wellbeing and long term forever home for ■ who has a range of physical disabilities that require full time care. None of the proposed works are of a nature that they could be the subject of a temporary approval, meaning they could be removed at a later date.
- 5.3 The biggest issue with respect to the proposals for this particular property is the extent of previous works carried out between 2008 and 2010. The plan at Appendix B shows the original footprint, the works between 2008 and 2010 and the proposed works. This helps to show the context within which the decision making is taking place. The extent of previous additions makes further extensions difficult to justify under the Design Principles particularly in light of neighbour objections and a potential understandable precedent being set.
- 5.4 The main elements of the proposal are the building of a hydrotherapy pool; a dining room, a link passageway into the pool, conversion of the garage to a guest bedroom, wheelchair store and medical store and a car port. Each element will be looked at in more detail below: -

Hydrotherapy Pool – The hydrotherapy pool is an essential daily facility for ■. The overriding concern for the Heritage Foundation is the scale and mass of the structure. The pool is 3m x 6.6m, however the building encasing the pool is over 12m in depth and approx. 6m extending to approx. 8m in width to provide for the pump room. This alone equates to a 78m² of additional building construction on the site. This is designed to allow for space around the pool to assist ■ with access to the pool as well as to allow ■ family and

- therapists to support [REDACTED].
- 5.5 The Architect has tried to mitigate the impact of the building on the site from the original submitted scheme. Our starting point with any new roof is that it should match the materials and slope of the host building. In this case, it was felt that if the large hipped roof on the main house is replicated it would result in an overly heavy design. A flat roof tucked behind a parapet was an acceptable approach in principle.
- 5.6 However, even with an appropriate roof design, the size and siting of the pool particularly when seen against the existing extensions, the proposals are considered to have an unacceptable impact on the existing building and its setting. This is particularly with the cumulative depth of the additions which are far in excess of the Design Principles. This impact is exacerbated by it being a continuous block, with no visual breaks between the proposed buildings.
- 5.7 From the information submitted, there are opportunities from the Aquatic Physiotherapist's report to reduce the pool by a further 600mm and a possibility of reducing some of the surrounding space around the pool. This may require further guidance from the Aquatic Physiotherapist and Specialist Housing Occupational Therapist.
- 5.8 We are of the understanding that [REDACTED] currently has hydrotherapy sessions at a pool at [REDACTED] school and although we appreciate the desire for this facility to be provided at home, there may be other options available.
- 5.9 **Dining Room** – The proposal also includes a large dining room at 4.5m deep and long which is an additional room to the existing bungalow. It is unlikely that such a proposal would on its own be supported as the host building has already been heavily extended.
- 5.10 **Link Passageway**- There is a link between the dining room and the pool which provides safe access to the pool from the house for [REDACTED]
- 5.11 **Garage** – The proposal is to utilise the existing garage for additional guest accommodation and storage which result in minimal external alterations to the structure and we have no objections in principle regarding this.
- 5.12 However, it was suggested that the guest room be re-located into the main house and that the garage building could be utilised to provide space for ancillary uses such as the location of the pump or for changing facilities.
- 5.13 **Carport** - The proposal also includes a hardwood framed carport to the frontage. This cannot be argued as good design and whilst this is a lightweight structure, it would have an impact on the front elevation causing harm to the building.
- 5.14 **Conclusion** – The proposals are contrary to the Design Principles, but the Team has tried to suggest amendments that may assist in reaching a solution.

- Reduce the pool dimensions
- Re-site the plant room – possibly in the basement adjacent to the pool itself
- Utilise part of the garage and have the guest room in the main house
- Change the roof design to a flat roof with brick on edge parapet detail to overcome the shallow roof pitch.

Some of these amendments have been taken on board but the cumulative impact of the scale of the development have not been sufficiently overcome for an approval to be forthcoming.

- 5.15 The requirements for the applicant are far reaching and there is concern that the property and its setting cannot sustain the level of development sought whilst retaining the appearance of the host building and the element of green garden land. Amenity issues regarding the relationship with the neighbouring occupiers and the wider context are also of concern.
- 5.16 Under the Scheme of Management, consideration of the external impact and amenity of the area is the starting point of the decision-making process. In this case it is the cumulative impact of the proposed additions to the site and the host building that are unacceptable, contrary to the Design Principles and would set an undesirable precedent.

6. Neighbours comments

- 6.1 The objection letters from the adjoining neighbour are available in **Appendix F – AMC Report**

The objections concern the following issues:

- Wouldn't want this to become a business
- Pool could be further reduced
- No assessment of noise pollution from pump – only product information leaflets provided
- Environmental impact

Officer Comments on Objections

- 6.2 There is no question that the scale of the proposal will have an impact on amenity of the neighbouring properties.
- 6.3 Any concerns over the noise from the pump, we feel could be mitigated.
- 6.4 The appellant has assured the Heritage Foundation that this is purely for [REDACTED] use and we have no reason to believe that this will be used as a commercial venture.
- 6.5 Any works to the surrounding hedges and landscaping can form part of a landscaping scheme agreed under the Scheme of Management.

7. Conclusions

- 7.1 The Heritage Foundation appreciate the desire of the appellant to accommodate the on-going needs of [REDACTED] but remain concerned about the impact of the extensions and the precedent this may set.
- 7.2 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.
- 7.3 The Case Officer, Heritage Advisory Team, Advisory Management Committee and Householders Application Committee were all supplied on a private and confidential basis with details of the circumstances and reasons for the additions, but it was considered that the application should be refused consent.
- 7.4 It is therefore respectfully requested that this appeal is dismissed.