

**3/15/0863/HH –Demolition of existing outbuilding, single storey extensions and raising of roof at Three Lillies Lodge, High Wych Road, High Wych, CM21 OJE for Mr Riza.**

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**Date of Receipt:** 12.05.2015

**Type:** Householder

**Parish:** HIGH WYCH

**Ward:** MUCH HADHAM

### **RECOMMENDATION**

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

1. Three year time limit (1T121)
2. Approved plans (2E103)
3. Materials of construction (2E11)
4. Prior to the commencement of the development hereby approved, further details of the proposed rooflights, to include the number, position, size and their projection beyond the roof slope shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved plans and specification.

Reason

In the interests of achieving a high standard of design and the appearance of the proposed development in accordance with Policy ENV1 of the East Herts Local Plan Second Review April 2007.

#### **Directives:**

1. BATS (32BA)

#### **Summary of Reasons for Decision**

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan (Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the 'saved' policies of the East Herts Local Plan Second Review April 2007); the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The balance of the considerations having regard to those policies and the limited impact that the proposal would have upon the openness of the Green Belt is that permission should be granted.

## **1.0 Background**

- 1.1 The application site is shown on the attached OS Map. It is located within the Metropolitan Green Belt. The site is accessed off of High Wych Road by a driveway that serves Sayes Park Farm and the adjacent dwelling house, Lauden Lodge.
- 1.2 The site is occupied by an existing dwelling within a converted stable building that was originally within the same ownership as Lauden Lodge and was previously known as Lauden Lodge Stables. Following the submission of evidence to demonstrate that part of the stables had been occupied for residential purposes in excess of 4 years, a Certificate of Lawfulness was granted for the residential use of the stables in 2006 (Ipa reference 3/06/1216/CL).
- 1.3 The existing buildings within the site comprise of an 'L-shaped' former stable building with an associated detached store. The buildings are sited on low lying land and are single storey, clad with black weatherboarding and have a corrugated metal roof.
- 1.4 The current proposal is for the demolition of the existing store building, single storey extensions to the dwelling and the raising of the roof.
- 1.5 Extensions are proposed to the south east and north east facing internal elevations of the building, resulting in a 0.5 metre increase to the width of the northern 'wing' of the building and a 2 metre extension to the depth of part of the southern 'wing' of the building which is constructed adjacent to the access drive leading to Sayes Park Farm. Whilst the external elevations of the main building are not proposed to be extended, a new external wall of blockwork is proposed which is indicated to be approximately 20cms in depth.
- 1.6 An extension is also proposed to replace the footprint of the existing outbuilding and to attach it to the existing dwelling in the space that is currently in-between the main building and the outbuilding.
- 1.7 The roof of the whole building is proposed to be raised from its current height of 2.7 metres to approximately 4.3 metres in height and would form a dual pitched roof, with hips to the corners.

## **2.0 Site History**

- 2.1 The relevant planning history for the site is as follows:-

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- 2.2 Planning permission was refused for extensions to the dwelling including the raising of the roof to provide 1<sup>st</sup> floor accommodation (with a maximum height of 6.6 metres) in 2013 under lpa reference 3/13/0054/FP. This proposal was later dismissed at appeal.
- 2.3 In 2011 planning permission was granted for the conversion of the remaining stables building (the part that was not subject to the earlier Certificate of Lawfulness) to residential accommodation and the raising of the roof under lpa reference 3/11/0488/FP.
- 2.4 In 2010 planning permission was granted, under lpa reference 3/10/0446/FP for the conversion of the remaining stables building (the part that was not subject to the earlier Certificate of Lawfulness) and the change of use of land to residential.
- 2.5 A Certificate of Lawfulness was granted in 2006 for the residential use of part of the building under lpa reference 3/06/1216/CL.

### **3.0 Consultation Responses**

- 3.1 Herts Ecology has advised that a bat survey should not be required but that works should proceed with caution.

### **4.0 Parish Council Representations**

- 4.1 No representations have been received.

### **5.0 Other Representations**

- 5.1 The application has been advertised by way of site notice and neighbour notification.
- 5.2 2No. letters of representation have been received from the occupiers of the adjoining property Lauden Lodge which can be summarised as follows:-
- The main concern is in respect of the new section that would extend between the existing building and the outbuilding/barn;
  - This new section together with the increase in height would block natural light from the ground floor window within their property and destroy their country outlook (the only ground floor window on this side of the house);
  - The proposal should be considered as a new build as only part of the current footprint would remain;

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- As the building was built as a stable the footings and walls would not be weight bearing or suitable for the pitched roof;
- The family's living area is currently contained within the smaller wing of the building and the proposed extensions would increase this by approximately four fold and therefore would disproportionately alter the size of the original dwelling and impose into the openness of the countryside;
- The property does not have the infrastructure in place to sustain a vital energy supply of its own and the supply may not meet the needs of the extended dwelling;
- Concerns that mature trees would need to be removed to accommodate the extensions;
- The biodiversity questionnaire incorrectly states that the proposal would not impact upon trees but the applicant has stated that they would need to be pruned.

## **6.0 Policy**

6.1 The relevant 'saved' Local Plan policies in this application include the following:-

GBC1	Appropriate Development in the Green Belt
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV5	Extensions to Dwellings
ENV6	Extensions to Dwellings-criteria
ENV11	Protection of Existing Hedgerows and Trees
ENV16	Protected Species
ENV19	Development in Areas Liable to Flood

6.2 The provisions of the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG) and the emerging District Plan are also of relevance to this application.

## **7.0 Considerations**

7.1 The site is located within the Green Belt wherein Policy GBC1 allows for 'limited' extensions to dwellings, in accordance with Policy ENV5 which expects extensions to not disproportionately alter the size of the original dwelling. This approach is supported by the NPPF. Where extensions would form disproportionate additions to the original dwelling this would form inappropriate development within the Green Belt and very special circumstances must be demonstrated that clearly outweigh the harm and any other harm to the Green Belt in order for the grant of planning

permission to be justified.

- 7.2 The determining considerations for this application relate to the principle of the proposed development, whether it would comply with the requirements of Policy GBC1 and the NPPF, the impact that the development would have upon the openness of the Green Belt and any other harm including the effect on the amenities of neighbouring occupiers.

Whether or not the proposal would be inappropriate development

- 7.3 The original dwellinghouse, for the purposes of consideration against Policies GBC1 and ENV5, forms part of the original stable building that was granted the Certificate of Lawfulness for a residential use in 2006 (Ipa reference 3/06/1216/CL). This formed the area shown on the existing floor plans as a bedroom, kitchen/dining room and porch and had a floorspace of approximately 68 sqm.
- 7.4 Planning permission was granted in 2010 for the conversion of the remaining stables into residential use (ref. 3/10/0446/FP). This resulted in an increase in the floorspace of the dwelling (when compared to the original dwelling) of approximately 105%.
- 7.5 The application which is the subject of this report seeks permission for extensions to the existing building on the site. The extensions would result in an increase in floorspace of approximately 71 sqm, 25 sqm of this replaces an existing outbuilding on the site. This increase taken with the increase approved in 2010 would result in a 210% increase in the floorspace of the dwelling when compared with the floorspace of the original dwelling. Such an increase would represent a disproportionate addition over and above the size of the original building and the proposal will therefore represent inappropriate development which is by definition, harmful to the Green Belt.

Openness of the Green Belt

- 7.6 One of the essential characteristics of the Green Belt is its openness. The existing building by reason its size, design, appearance and the site's low-level siting, is very low key in appearance. This was acknowledged by the Inspector in the appeal decision relating to the 2013 application.
- 7.7 The extensions proposed by this application would result in only some 46 sqm of new build (as 25 sqm of the floorspace created replaces an existing outbuilding). Such an increase in built form is limited when compared to the size of the existing buildings on the site. Furthermore, some of the extensions proposed are located within the inner courtyard of the building,

and as such their impact on the openness of the Green Belt will be very limited. The extensions would replicate the existing low key appearance of the existing building, and accordingly, the proposed extensions would result in limited harm to the openness of the Green Belt.

- 7.8 The application also proposes to increase the height of the existing buildings by 1.6 metres, and such an increase in height will result in some harm to the openness of the Green Belt.

#### Character and Appearance

- 7.9 The proposed development would result in modest extensions to the footprint and height of the existing building. The resulting building would maintain the appearance of a low-lying rural building.
- 7.10 Officers consider that the proposed extensions are of an acceptable design and would not be detrimental to the character and appearance of the existing dwelling and that of the surrounding area, in accordance with the aims of Policies ENV1, ENV5 and ENV6 of the Local Plan.

#### Neighbour Impact

- 7.11 The concerns that have been raised by the neighbouring occupiers have been carefully considered. It is understood that their main concern is respect of the proposed linking section between the existing dwelling and the outbuilding.
- 7.12 The linking section would be constructed adjacent to the south eastern boundary of the application site, which is visible from the north western flank elevation of Lauden Lodge, where this dwelling benefits from ground and first floor windows. It is important to note that Lauden Lodge is situated on higher ground than the application site and the dwelling is sited approximately 9.5 metres away from where the extension would be constructed. Having regard to this and the siting of the application site to the north west of Lauden Lodge, Officers do not consider that the extensions would result in an unacceptable impact upon the amenities of the neighbouring occupiers. It is noted that the proposed linking extension together with the increase in roof height would impact upon the views from the flank windows within this neighbouring dwelling house, however the loss of individual views does not form a material planning consideration and having regard to the set back and difference in land levels, Officers do not consider that the proposal would result in an unacceptable loss of outlook or have an overbearing impact upon this property.
- 7.13 The concerns that have been raised that the proposal would result in the

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need for a replacement dwelling are noted. This application does not seek permission for a replacement dwelling, but extensions to the existing dwelling. The submitted plans show that the existing exterior walls of the building are to remain in place, and there is no reason therefore based on the information currently before the Council why the current proposal should be dealt with as extensions to the dwelling.

- 7.14 It is noted that the existing trees to the north and western site boundaries are not shown on the submitted plans, although it is not anticipated that the proposed development would result in the loss of any of these existing trees. It should be noted that the site is outside of the Conservation Area and that the trees are not currently protected.
- 7.15 The concerns raised in relation to the infrastructure available to the dwelling for electricity and other services is not a material consideration for the planning application.
- 7.16 Having regard therefore to the above considerations, it is considered that no harm will arise from the impact of the proposed development on the amenities of the occupiers of the neighbouring property.

#### **Other Matters**

- 7.17 As indicated, whilst there have been previous extensions to the floorspace in residential use at the site, the built form has not correspondingly expanded. Similarly, this proposal also seeks to replicate some of the existing buildings on the site. These circumstances reduce the impact on the Green Belt and can be given weight in the considerations.
- 7.18 The planning permission granted in 2011 to increase the height of the existing buildings by 1.5 metres and to convert the remaining parts of the existing building into residential use is also a material consideration in the determination of this application. There has been no significant change in policy or circumstances since the grant of that permission and significant weight must therefore also be attached this permission when considering this current proposal.

### **8.0 Conclusion**

- 8.1 The proposed development, having regard to the cumulative extensions added to the original dwelling house, will form a disproportionate addition to the original dwelling house. Therefore, the proposal forms inappropriate development within the Green Belt which, in accordance with the NPPF, is by definition harmful and to which substantial weight should be given.

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- 8.2 In respect of other harm, the above report has outlined that there would be some limited impact upon openness. In respect of neighbour amenity and the impact upon the character and appearance of the existing dwelling and the surrounding area no additional harm would be caused.
- 8.3 In this case, the previous planning permission granted for the extensions to the dwelling in 2011 which was approved under a very similar planning policy framework is material and can be given significant weight.
- 8.4 In addition, whilst calculation of the floorspace converted to residential is significant, the proposed extensions would only result in a 27% increase in the floorspace of built form overall on the site when compared to the original buildings.
- 8.5 The concerns that have been raised by the neighbour have been considered, however, Officers are of the view that the degree of impact upon the amenities of the neighbouring occupiers would not be unacceptable so as to justify the refusal of planning permission in this case.
- 8.6 Having regard to the weight that can be given to the above matters it is considered that the identified harm is outweighed and that planning permission can be granted subject to the conditions at the head of this report.