

3/15/1657/HH – Construction of a home office/garden outbuilding to replace existing concrete panelled outhouse structure at Brambles, 8 Church Path, Great Amwell for Ms Anna Baptist

Date of Receipt: 19.08.2015

Type: Full – Householder

Parish: GREAT AMWELL CP

Ward: GREAT AMWELL

RECOMMENDATION:

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

1. Three Year Time Limit (1T12)
2. Approved plans (2E103)
3. The outbuilding hereby permitted shall be used solely for purposes ancillary to the main residential use of the dwelling within the application site known as Brambles, 8 Church Path, Great Amwell.

Reason: To ensure that no alternative use of the building is made that would result in inappropriate development in the Green Belt or cause harm to the amenity of nearby neighbouring dwellings and to accord with Policies GBC1 and ENV1 of the East Herts Local Plan, Second Review, 2007.

Informatives:

1. The use of the outbuilding for separate commercial purposes or living accommodation independent of the main dwelling would constitute a material change of use for which planning permission would be required.
2. 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; the limited impact that the proposal would have upon the openness of the Green Belt, and the fall-back position in relation to Class E of the Town and Country Planning (General Permitted Development (England) Order 2015, is that permission should be granted.

1.0 Background

- 1.1 The application site is shown on the attached OS extract. It is located within the Metropolitan Green Belt and is considered to lie within the built-up area of the Category 2 Village of Great Amwell. The site is accessed off Amwell Hill and lies just outside the Conservation Area.
- 1.2 The application site comprises a two storey dwelling within a row of pre-war detached housing on well landscaped plots. There is an existing pre-cast concrete panelled outhouse structure within the rear garden space.
- 1.3 The proposal is for a home office/outbuilding to be located within the rear garden of the dwellinghouse to replace the existing outbuilding. It would be located over 30 metres from the main house and would have a floor space of approximately 29 sqm and a total height of 3.7 metres. It would include an attached timber shed to the rear of the building and a patio area. The proposed building would have a flat roof and would include white aluminum folding doors and windows, an aluminum roof light and a high level aluminum window.
- 1.4 The submitted plans indicate that the outbuilding would include the provision of a single work station, a bed, a shower room/wc, and a small kitchen area. The applicants agent has explained that the applicant wishes to work from home increasingly in the future and needs an office working area with book storage shelves, a WC and simple rudimentary kitchen and somewhere to relax. In addition, the outbuilding could also be used for occasional overnight accommodation for visiting family members. The agent emphasises that there is no intention to make commercial use of the space, or to create a separate dwelling. The building would be used solely for purposes ancillary to the main dwellinghouse.

2.0 Site History

- 2.1 The relevant planning history for the site is as follows:
 - 3/78/1002 - Single storey extension and double garage. Approved
 - 3/91/0794/FP Two storey side and rear extension and single storey side extension. Refused
 - 3/91/1127/FP Single storey side extension, two storey rear extension, single storey side extension and rear

3/15/1657/HH

extension. Approved

- 3/97/0275/FP First floor side extension to form two bedrooms, ground floor rear extension to kitchen. Refused
- 3/01/0855/FP Single storey rear extension. Approved

3.0 Consultation Responses

3.1 No representations have been received.

4.0 Parish Council Representations

4.1 Great Amwell Parish Council objects to the proposal. It considers the proposed development, by reason of its height, to be detrimental to the visual amenity and appearance of that property and also adjoining properties. They comment that the proposal is contrary to Policy ENV5 of the Local Plan and furthermore it represents inappropriate development and is therefore contrary to Policy GBC1.

5.0 Other Representations

5.1 The application has been advertised by way of press notice, site notice and neighbour notification.

5.2 One letter of objection has been received which can be summarised as follows:

- The proposal is significantly bigger than the existing footprint of the existing PC concrete outhouse;
- The plans include bathroom/shower facilities and potential kitchen space;
- The proposed high level pitched roof will have impact upon neighbour amenity particularly the proposed high level aluminum window opening;
- The proposal is an infringement of rural green belt policy.

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

3/15/1657/HH

ENV2	Landscaping
ENV5	Extensions to Dwellings
OSV2	Category 2 Villages

- 6.2 The National Planning Policy Framework (NPPF) and the national Planning Policy Guidance (NPPG) are also material considerations in the determination of the application.

7.0 Considerations

- 7.1 The determining considerations for this application relate to the principle of the proposed development; whether it would comply with the requirements of Policies GBC1 and ENV5 regarding inappropriate development; 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 and the character and appearance of the Conservation Area.

Principle of development in the Metropolitan Green Belt

- 7.2 The site is located within the Metropolitan Green Belt wherein Policy GBC1 allows for 'limited' extensions to dwellings, in accordance with Policy ENV5 which expects extensions and outbuildings to not disproportionately alter the size of the original dwelling. This approach is generally consistent with the NPPF which does not refer to outbuildings but allows for extensions to existing buildings where they would not disproportionately alter the size of the original.
- 7.3 The original dwelling house, appears to have had a floor area of approximately 164 sqm and the Council's records suggest that the previous extensions to the dwelling have added a further 82.75 sqm of floor area. The proposed outbuilding would have a floor area of 29.37 sqm, which cumulatively with the existing extensions would result in an additional 112.12 sqm of floor space representing a 68% increase to the size of the original dwelling.
- 7.4 Whilst a floor space calculation is not the only way to assess the increase in size to the original dwelling, in this case Officers consider that the cumulative additions would exceed what would ordinarily be considered to form 'limited' additions that are not disproportionate to the original dwelling within this Green Belt location. The proposal therefore represents inappropriate development which, in accordance with the NPPF, is by definition harmful to the Green Belt and substantial weight needs to be given to this. Planning permission should only be granted if there are other material considerations which clearly outweigh the harm

by inappropriateness and any other harm, such that they constitute very special circumstances for allowing the appropriate development in the Green Belt.

Other harm

- 7.5 The proposal would result in some limited loss of openness in the Green Belt and therefore some additional harm would result. However, the outbuilding is proposed within an area of garden land to the north-east of the dwellinghouse and would be set back approximately 30 metres from the main dwellinghouse towards the rear of the residential curtilage. Having regard to this set back and the extensive landscaping common within the rear gardens along Church Path, much of the proposed outbuilding would not be visible from outside the site. However, it is likely that the building could be visible from some view points within the surrounding area such as the open space to the rear of the dwelling to the North West; landscaping is somewhat less dense on this further curtilage boundary.
- 7.6 The proposed outbuilding is single storey and is located on a minor gradient change within the rear garden space. Nonetheless, due to the modest floor space and the size and scale of the outbuilding Officers consider that it would not appear unduly prominent or intrusive in the Green Belt.
- 7.7 It would nevertheless constitute a building which would have an impact on the openness of the Green Belt. The outbuilding would be around 15 sqm larger than the existing structure therefore this constitutes additional harm, albeit limited.

Neighbour Amenity

- 7.8 The concerns that have been raised by the neighbouring occupier have been carefully considered. As set out above, the size of the proposed outbuilding is considered to be acceptable in this instance.
- 7.9 In respect of concerns raised that the building is significantly bigger than the existing footprint of the existing concrete outhouse, this is acknowledged. The proposed floor space is however still considered to be modest within the large rear garden space even though the proposal would include a timber shed and a patio area.
- 7.10 In respect of the concerns raised in association with internal facilities, the outbuilding would accommodate, these are considered to form ancillary accommodation to that within the main dwellinghouse rather than a separate unit of accommodation.

3/15/1657/HH

- 7.11 There is no intention to create a separate dwelling. There is also no intention to make a commercial use of the space. Moreover, the outbuilding is not considered to be capable of accommodating a separate residential use. There is no independent access to the site; the site can only be accessed through the main dwellinghouse or the side gate access points to the rear garden.
- 7.12 In respect of concerns raised with regard to the potential for a residential use, Officers consider the outbuilding to be an ancillary structure that would clearly be used in association with the main dwellinghouse.
- 7.13 In respect of concerns raised that the outbuilding would have an unacceptable impact upon the neighbouring property, the details of the impact have not been expressed. The outbuilding would have a flat roof with an aluminium roof light and a high level aluminium window top hung opening outwards. Officers do not consider that the proposal would result in an unacceptable degree of overlooking, loss of outlook or have an overbearing impact upon this neighbouring dwelling.
- 7.14 Having regard to the size, scale and height of the proposed building and its siting in relation to neighbouring dwelling houses, Officers consider that the proposal would not have an unacceptable impact upon the amenities of the neighbouring occupiers. No additional harm is identified in this respect.

Character and Appearance

- 7.15 The proposed outbuilding is considered to be of an acceptable design, size and scale that would not have a detrimental impact upon the character and appearance of the site and the surrounding area.
- 7.16 The proposal is considered to be a typical ornate orangery type garden outhouse design with a flat roof, large roof lantern, bi-folding doors and brickwork. Officers consider that the building that is currently proposed would not appear as a separate dwelling and instead would appear as an ancillary outbuilding that would not be detrimental to the character and appearance of the site and that of the surrounding area. Again, no additional harm is identified in this respect.

8.0 Conclusion

- 8.1 The proposed outbuilding, 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

3/15/1657/HH

with the NPPF, is harmful by definition and substantial weight should be given to this.

- 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 site and the surrounding no additional harm would be caused.
- 8.3 The NPPF states that inappropriate development should not be approved except in very special circumstances and that such circumstances will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 8.4 In this case, there is a relevant fall-back position in respect of Class E of the Town and Country Planning (General Permitted Development (England) Order 2015 which would allow for an outbuilding required for a purpose incidental to the enjoyment of the dwellinghouse to be constructed without planning permission. Such a building would need to have a reduced height, but could be considerably larger in floor space. This is a material consideration to which significant weight can be given. Although a home office is primary accommodation it is supportive of sustainable work/travel plans and weight can be given to this. Officers also give weight to the fact that the unit is of modest proportions and is unlikely to provide for anything other than home working or ancillary accommodation.
- 8.5 On balance, Officers consider that these material considerations are sufficient in this case to clearly outweigh the harm identified to the Green Belt such that very special circumstances do apply that justify the grant of planning permission, subject to the conditions set out at the head of this report.