

**3/09/0914/FP – Two storey rear extension, raise roof and convert loft space to form 2 no. bedrooms at 70 Whempstead Road, Benington, SG2 7DE for Mr & Mrs Fuller.**

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**Date of Receipt:** 16.06.2009

**Type:** Full

**Parish:** BENINGTON

**Ward:** WALKERN

**Reason for report:** Contrary to policy.

### **RECOMMENDATION**

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

1. Three year time limit (1T12)
2. Matching materials (2E13)
3. The proposed window openings to the ensuite and bathroom in the north elevation shall be fitted with obscured glass, and shall be permanently retained in that condition.

**Reason:** To safeguard the privacy of occupiers of the adjoining property, in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

### **Directives**

1. Other legislation

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

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular SD2, GBC3, TR7, ENV1, ENV5 and ENV6. The balance of the considerations having regard to those policies, and extant permission 3/06/1783/FP is that permission should be granted.

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## **Background**

- 1.1 The application site is shown on the attached OS extract and comprises a detached two storey dwelling with detached double garage and outbuildings.
- 1.2 The dwelling is set back from the road by approximately 25m in open surroundings with a large residential curtilage. Neighbouring dwellings are predominantly two storey detached dwellings located amongst mature trees although No. 68 to the north is 1½ storeys.
- 1.3 This application proposes a two storey rear extension, raising of the roof and addition of front and rear dormers. This is identical to a previous permission granted under reference 3/06/1783/FP, which remains extant.

## **2.0 Site History**

- 2.1 Permission was granted for these extensions in 2006 under reference 3/06/1783/FP. This was subject to a three year restriction, and thus remains extant until 25<sup>th</sup> October 2009.
- 2.2 Permission had previously been granted for a two storey rear extension in 2003 and 2004 (references 3/03/0683/FP and 3/04/1127/FP respectively), but not implemented. There is an existing flat roof two storey rear extension on site that was granted consent in 1964 (3/64/1320/FP).

## **3.0 Consultation Responses**

- 3.1 No consultations are necessary for this application.

## **4.0 Parish Council Representations**

- 4.1 Benington Parish Council has, by a majority decision, no objection to the proposal, but is concerned that this is a very large extension to an already extended house.

## **5.0 Other Representations**

- 5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.
- 5.2 No letters of representation have been received.

## **6.0 Policy**

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

SD2	Settlement Hierarchy
GBC3	Appropriate Development in the Rural Area Beyond the Green Belt
TR7	Car Parking – Standards
ENV1	Design and Environmental Quality
ENV5	Extensions to Dwellings
ENV6	Extensions to Dwellings – Criteria

In addition to the above it is considered that Planning Policy Statement 1, (Delivering Sustainable Development), and Planning Policy Statement 7 (Sustainable Development in Rural Areas) are considerations within this application.

## **7.0 Considerations**

### **Principle of Development**

- 7.1 The site lies within the Rural Area Beyond the Green Belt wherein policies GBC3 and ENV5 allow for only limited extensions that do not cumulatively with earlier extensions disproportionately alter the size of the original dwelling. In this case, the house has already been extended by way of a two storey rear extension, and the addition of the proposed extensions represents a total floorspace increase of approximately 97% over and above the original dwelling. This is considered to be more than “limited” extensions and therefore inappropriate development in the Rural Area. The main issue in this case is whether there are any overriding material considerations to allow this development.
- 7.2 Significant weight is given to the fact that this is an identical application for extensions approved in 2006. This permission remains extant and could therefore be implemented at any time before 25<sup>th</sup> October 2009. This permission was granted following previous permissions for two storey rear extensions in 2003 and 2004.
- 7.3 Although the new local plan was adopted in April 2007 there has been no material change in the relevant Local Plan policies since the earlier permission in 2006, significant weight should be given to this extant permission. It is therefore the Officer’s view that this amounts to a material consideration which has effectively established the principle of the development and is sufficient to override Rural Area policy.

### **Scale and Design**

- 7.4 The application proposes a two storey rear extension and incorporation of a pitched roof over the existing flat roof two storey rear extension, with a raising of the main roof by 1m to provide 2<sup>nd</sup> floor accommodation. The proposal will therefore provide an additional 3 no. bedrooms.
- 7.5 The two storey rear extension will measure 5.2m in depth and 9.2m in width and will replace an existing run-down single storey lean-to outbuilding to the rear. The main ridge will be increased by 1m in height with a hipped roof and front and rear dormers. This will increase the bulk of the roof, and exaggerate the prominence of this building in its open surroundings. However, it is not considered that the increase in roof height will appear unduly prominent in the street given the siting of the dwelling set back from the street by approximately 25m, although it may appear rather dominant compared to the 1½ storey neighbouring to the north.
- 7.6 It is the Officer's view that the design of the proposal could be improved, particularly with regards to the first and second floor front dormers which are large and prominent in the roofscape. However, significant weight is given to the extant permission. Members are also advised that a further planning application was registered on 27<sup>th</sup> July 2009 for two storey extensions with a similar floorspace, but an amended design (our reference 3/09/1062/FP). This is likely to come before the Development Control Committee on 23<sup>rd</sup> September 2009.

### **Neighbouring Amenity**

- 7.7 There will be no material impact on the amenities of No. 72 given its distance over 30m south of this dwelling. No. 68 to the north is located closer, at a distance of approximately 13m, and is a smaller dwelling of 1½ storeys in height. Given that No. 70 is located to the south of No. 68 there would be potential to cause overshadowing or overbearing; however, this is not considered to be significant at this distance.
- 7.8 2 no. new bathroom windows are proposed in the first floor north elevation of No. 70, which would result in overlooking to the rear private garden space of No. 72. It is therefore considered reasonable and necessary to require that these windows be obscure glazed, as was required under permission 3/06/1783/FP.

### **Parking & Access**

- 7.9 The application appears to provide 3 no. additional bedrooms and may therefore generate a greater requirement for parking. However, there is ample provision for parking on site, with a double garage and large frontage

parking area. The proposal is therefore considered to comply with policy TR7. There will be no change to the existing access arrangements from Whempstead Road.

## **8.0 Conclusion**

- 8.1 This application proposes identical extensions to that previously approved under a 2006 application, and which remains extant. There has been no significant change in the relevant planning policies since this time, and as such this is considered to amount to a material consideration that overrides Rural Area policy.
- 8.2 Although the design of the extensions could be improved, Officers must give significant weight to the extant permission. There will be no harmful impact on the character of the dwelling or the surrounding Rural Area, or neighbouring amenity.
- 8.3 The application is therefore recommended for approval subject to the conditions set out above.