

**3/09/1062/FP – Two storey side extension, raise roof to form second floor accommodation, first and second floor side windows. Replacement roof to existing garage. New entrance porch. Extended bay at rear to link with garage at 70 Whempstead Road, Benington, SG2 7DE for Mr & Mrs Fuller.**

**Date of Receipt: 10.07.09**

**Type: Full**

**Parish: BENINGTON**

**Ward: WALKERN**

### **RECOMMENDATION**

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

1. Three year time limit (1T12)
2. Matching materials (2E13)
3. The extensions hereby permitted shall only be constructed provided the previous permissions 3/06/1783/FP and 3/09/0914/FP have not been commenced. Should development of any part of applications 3/06/1783/FP and 3/09/0914/FP be commenced, then the permission hereby granted shall be considered null and void.

**Reason:** The construction of all extensions would constitute inappropriate development in the Rural Area contrary to Policy GBC3 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.

\_\_\_\_\_(106209FP.HS)

## **3/09/1062/FP**

### **1.0 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 rear 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 Members may recall that a previous application for extensions was granted at the August Committee following an earlier permission granted in 2006. This application proposes extensions of a similar footprint, but with an alternative design. The main difference is a re-positioning of the two storey extension from the rear to the south side. This item is reported to Members as it is contrary to the normal policy of restraint in the Rural Area.

### **2.0 Site History**

- 2.1 Permission was granted for substantial extensions to this dwelling at the August Committee (reference 3/09/0914/FP), following an earlier identical proposal granted permission in 2006 under reference 3/06/1783/FP.
- 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 Town/Parish Council Representations**

- 4.1 Benington Parish Council has no objection to the proposal.

### **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 will represent an approximate doubling of the original floorspace. This is considered to be disproportionate and therefore inappropriate development in principle in the Rural Area. The main issue in this case is whether there are any overriding material considerations to allow this development.

7.2 Permission was granted in 2006 for substantial extensions, and re-granted on 26<sup>th</sup> August 2009. Significant weight is therefore given to the principle of a doubling of the floorspace as granted under these earlier consents. Given the design improvements of the proposed scheme, as discussed below, it is the Officer's view that this amounts to a material consideration to override Rural Area policy.

### **Scale and Design**

7.3 This application proposes a two storey side extension instead of the two storey rear extension previously granted. The extension will measure approximately 4.9m in width along the full length of the dwelling. This will increase the width of the dwelling when viewed from the road, but Officers do not consider this to appear excessive. Given that consents remain extant

### 3/09/1062/FP

for two storey rear extensions, a condition is recommended to prevent the construction of both extensions as the implementation of both permissions would result in excessive extensions in the Rural Area.

- 7.4 The application also proposes to raise the ridge of the main roof by 1m to provide 2<sup>nd</sup> floor accommodation. This is as approved under the previous consents. However, given the increase in width of the dwelling given the re-positioning of the two storey extension, the dwelling will appear more prominent in the street, particularly given the openness of the plot.
- 7.5 However, considerable weight is given in this case to the design improvements proposed in this application. Although the dwelling will appear more bulky from the road, the design no longer includes first and second floor dormers in the front elevation, which was considered to appear particularly awkward on the earlier consent. Instead, 2 no. small flat roof dormers will be provided in the front elevation, with 3 to the rear, all at second floor level. It is also noted that the dwelling will now appear less bulky when viewed from neighbouring properties to the side, and will have a reduced impact on neighbouring outlook.
- 7.6 The application also proposes a new front porch with pitched roof, a re-roofing of the existing garage (with no change in height), and a single storey rear extension and canopy to link to the garage. These alterations are all considered to be acceptable in terms of scale, style and design. The rear extension will also replace a number of unsightly outbuildings.
- 7.7 Overall, therefore, it is considered that the design improvements set out in the current scheme would represent a preferred option for extending the dwelling, than the extant permissions.

#### **Neighbouring Amenity**

- 7.8 There will be no material impact on the amenities of No. 72 given the retention of a gap of approximately 28m between dwellings. No. 68 to the north is located closer, at a distance of approximately 13m, and is a smaller dwelling of 1½ storeys height. However, given that the extensions are now proposed to the south side of the dwelling, rather than the rear, impact on No. 68 by way of overbearing, outlook or loss of light will be reduced.
- 7.9 Both previous consents included a condition to require new first floor north elevation bathroom windows to be obscure glazed in order to protect the amenity of No. 68. This application proposes a new first floor en-suite window, and first and second floor bedroom windows which do not constitute permitted development as they are proposed to be clear glazed and opening below 1.7m above floor level. Whilst it is noted that new first

### **3/09/1062/FP**

floor north elevation windows were required to be obscure glazed on the previous consents, it must be considered whether this is reasonable and necessary, particularly given that one of the first floor windows will be the primary window to a bedroom.

- 7.10 It is material to note that there are 2 no. existing first floor north elevation windows, serving both a store room and a bedroom, which appear to be clear glazed. The proposed windows will be slightly larger than existing, but it is not considered that the result would materially increase the existing level of overlooking to be harmful to the amenities of No. 68. The windows will look down onto the roofslope of the adjacent bungalow with some obscure views of the garden, at a distance of approximately 13m. Officers therefore do not consider that undue overlooking would result, and it was unreasonable to include this condition on the earlier consents. The second floor rooflight will provide wider views over No. 68, but given the distance and lack of adjoining windows, would not cause harmful overlooking.

#### **Parking & Access**

- 7.11 The application will provide 2 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 extensions of a similar size to those previously granted, but now taking the form of a two storey side extension rather than rear extension. Although this will result in a more prominent form of development, the design quality of the scheme has been significantly improved. Giving weight to those extant permissions, and the improved design, Officers consider that there are material considerations to override Rural Area policy.
- 8.2 The application is therefore recommended for approval subject to the conditions set out above.