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7. 3/09/1250/FP - Erection of summerhouse (finnlife kokka/tarina) in rear garden of property at Windmill Cottage, 18 Ermine Street, Thundridge, Ware, Hertfordshire, SG12 0SY for Mr Mathew Pettipher

Date of Receipt: 03.09.2009

Type: Full – (Other)

Parish: THUNDRIDGE

Ward: THUNDRIDGE AND STANDON

RECOMMENDATION

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

1. Three Year Time Limit (1T12)

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 policies GBC1, ENV1, ENV5, BH6 and BH12. The balance of the considerations having regard to those policies and the grant of permission of a summerhouse at no.18A Ermine Street (ref: 3/06/1135/FP) is that permission should be granted.

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1.0 Background

- 1.1 The application site is shown on the attached OS extract and is located to the south of the old A10 and within the built-up area of the Category 2 Village of Thundridge. Thundridge is also located within the Metropolitan Green Belt as designated within the Local Plan.
- 1.2 The application site is also located within the Thundridge Conservation Area, and this particular part of the Conservation Area is characterised by the period dwellings lining Ermine Street with large gardens to the rear. The dwellinghouse within the application site is Grade II Listed.
- 1.3 This proposal is for the erection of a summerhouse to be sited at the southern end of the garden to the dwelling house. The proposed summerhouse measures 3.9 metres square, with a ridge height of 2.5 metres, and is proposed to be constructed of softwood tongue and

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groove with a shingle roof. The building will be sited at a distance of 12 metres from the dwellinghouse at the top of an elevated garden.

2.0 Site History

2.1 There is no relevant planning history for this site, but the neighbouring dwelling, number 18A Ermine Street, has benefited from an approval for a summerhouse in a similar location in 2006 (LPA ref: 3/06/1135/FP).

3.0 Consultation Responses

3.1 The Council's Conservation Officer recommends approval stating that the proposal would have little or no impact on the principle listed buildings character and appearance.

4.0 Parish Council Representations

4.1 Thundridge Parish Council have commented that they have no objections to the proposal.

5.0 Other Representations

5.1 The application has been advertised by way of press and site notice and neighbour notification. No further representations have been received.

6.0 Policy

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

GBC1 Appropriate Development in the Green Belt
ENV1 Design and Environmental Quality
ENV5 Extensions to Dwellings
BH6 New Developments in Conservation Areas
BH12 Development Affecting the Setting of a Listed Building

7.0 Considerations

7.1 The determining issues in relation to this application are:

Principle of development

7.2 Thundridge is a Category 2 Village located within the Metropolitan Green Belt. Policy GBC1 of the East Herts Local Plan Second Review

April 2007 refers to 'limited extensions or alterations to existing dwellings in accordance with policy ENV5' as appropriate development within the Metropolitan Green Belt.

- 7.3 Policy ENV5 of the Local Plan only refers to the assessment of extensions to existing dwellings within the main settlements and category 1 and 2 villages, whereas the erection of outbuildings such as proposed in this application will only be permissible subject to their suitability outside of the main settlements and Category 1 and 2 Villages, i.e. within Category 3 Villages or beyond.
- 7.4 Since this proposal does not involve the extension to a dwelling but the development of an outbuilding and falls within the built-up part of Thundridge (and therefore a Category 2 Village) it can not be considered under policies GBC1 or ENV5 of the Local Plan, and would be therefore constitute inappropriate development in the Green Belt. It is therefore necessary to consider whether very special circumstances exist in this case.
- 7.5 Of consideration to the determination of this application is the approval in 2006 of a summerhouse in the neighbouring garden (18A Ermine Street). This approval allowed the development of a building measuring 3.8 metres wide, 2.5 metres deep, and 3.03 metres high to the ridge. Although the design of this current application differs from the 2006 approval, it is Officer's opinion that the principle of the development of a building within this setting has already been considered as acceptable in principle and not harmful to the openness of the Green Belt. It should also be considered that planning permission is only necessary for these summerhouses as they are located within the curtilages of Listed Buildings. In many other situations in the Green Belt therefore, such outbuildings could be erected under Class E permitted development rights.

Size, Scale, Siting and Design

- 7.6 Officers do not consider that the size, scale, siting and design of this summerhouse would be detrimental to the distinctiveness of the locality. It is recommended that it is of a suitable scale as to provide ancillary space for the occupants of the dwelling whilst relating well to the massing and height of the adjacent buildings. For these reasons Officers recommend that this proposal will reflect the distinctive character and design of the surrounding built form and would not have a detrimental impact upon openness of the Green Belt. For these reasons it is considered that this proposal accords with policy ENV1 of

the Local Plan.

Conservation Area and Listed Building

- 7.7 With regards to new developments in the Conservation Area, it is Officer opinion that this proposal is sympathetic in terms of scale, height, proportion, form, materials and siting in relation to the general character and appearance of the area. For this reason it is recommended that this proposal also accords with policy BH6 of the Local Plan.
- 7.8 With regards to the impact upon the character and setting of the Listed Building, the Conservation Officer noted that they have no objection to the proposal to erect the summerhouse as the design and location of the summerhouse would have little or no impact to the principle listed building's character and appearance. For this reason it is recommended that this proposal accords with policy BH12 of the Local Plan.

Neighbour Issues

- 7.9 With regards to the impact upon the enjoyment of the neighbouring dwellings, it is not considered that this proposal would cause any overlooking, overshadowing or overbearing impact to the detriment of the occupant of these neighbouring dwellings. For this reason it is Officer opinion that this proposal accords with policies ENV1 and ENV6 of the Local Plan.

8.0 Conclusion

- 8.1 Having regard to the above considerations, it is considered that the proposed summerhouse will not have an unacceptable impact on the openness of the Green Belt. Planning permission has been granted for a similar structure at the adjacent property, and planning permission is only necessary as the proposed structure is sited within the curtilage of a Listed Building.
- 8.2 The size, scale, siting and design of the proposed summerhouse is considered to reflect the distinctive character and design of the surrounding built form and would not have a detrimental impact upon openness of the semi rural character of the locality or the Conservation Area. Neither would the proposed development result in any unacceptable impact on the setting of the adjacent listed building.

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- 8.3 The proposal will not result in any detrimental impact to the amenities of the occupants of the neighbouring dwellings.
- 8.4 It is Officer opinion that, having regard to the considerations set out in this report, very special circumstances exist in this case to outweigh any harm by reason of inappropriateness of the proposed summerhouse, and it is therefore recommended that planning permission be granted.