

**3/10/0516/FP - 3 no. proposed dormers to front of property at Barn Cottage, Widford Road, Much Hadham, SG10 6AT for Mr C Lamkin**

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**Date of Receipt:** 29.03.2010

**Type:** Full – Other

**Parish:** MUCH HADHAM

**Ward:** MUCH HADHAM

**Reason for report:** Requested by Councillor Carver.

**RECOMMENDATION**

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

1. Three Year Time Limit (1T121)
2. Materials of construction (2E113)

**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 the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies GBC3, ENV1, ENV5 and ENV6. The balance of the considerations having regard to those policies is that permission should be granted.

\_\_\_\_\_ (051610FP.SE)

**1.0 Background**

- 1.1 The application site is shown on the attached OS extract.
- 1.2 The site is located within the Rural Area Beyond the Metropolitan Green Belt outside of the built up area of the settlement of Much Hadham.
- 1.3 The application site is located to the east of Widford Road, to the north-east of the neighbouring property known as Ash Cottage. Ash Cottage is sited adjacent to the highway, and the application property, Barn Cottage, is sited 24 metres to the east of the highway on a gradient falling away from the highway into the Ash Valley.
- 1.4 Both Barn Cottage and Ash Cottage are sited in a fairly isolated location with the nearest neighbours being the 'Jolly Waggoners Public House' located at 160 metres to the south and a dwelling called 'Ashleys' located at 135 metres to the north.

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- 1.5 Prior to its conversion into a separate residential unit in 1988 (LPA ref: 3/88/1085/FP) Barn Cottage formed the garage and stables associated with Ash Cottage. This historic relationship between the two dwellings explains their close proximity. Barn Cottage is sited 12 metres to the North East of Ash Cottage.
- 1.6 This application seeks permission for the insertion of three dormers to the west-facing roof slope of the dwelling. The dormers are to be equally spaced on the roof slope and identical in size, scale and design. Each dormer is to be 1.4 metres wide, and capped by a dual-pitched gable roof design.

## **2.0 Site History**

- 2.1 In 1988 a proposal to convert the garage and stables into a single dwelling, new garage/ carriage store and new stables was refused by the local planning authority for the reasons that it was considered inappropriate development in the Rural Area and it would represent undesirable consolidation of buildings within the rural area (Ref: 3/88/1085/FP). This refusal was allowed at appeal (Appeal reference T/APP/J1915/A/88/109748/P5) resulting in the form of the current application site.
- 2.2 In 2007 a proposal for the replacement of Barn Cottage with a dwelling and garage was withdrawn by the applicant (Ref: 3/07/2318/FP).
- 2.3 In 2008 a proposal for the conversion of the existing stable block/barn and garage to form additional residential accommodation, and the erection of single storey glazed links with existing dwelling was approved (Ref: 3/08/0887/FP). At the time of this current application this approved conversion of the outbuildings has not been implemented.
- 2.4 In 2008 an application for the erection of a garage and car port to the east of the site was approved (Ref: 3/08/1893/FP).
- 2.5 In 2009 an application for three dormer windows to the east-facing roof slope of the dwelling was approved (Ref: 3/09/1769/FP).
- 2.6 In 2010 an application for a single storey rear extension to the converted garage and stables (as approved under reference 3/08/0887/FP) was withdrawn by the applicant (Ref: 3/10/0352/FP), due to the plans being incorrect.

### **3.0 Consultation Responses**

3.1 No statutory consultees were consulted on the application.

### **4.0 Parish Council Representations**

4.1 Much Hadham Parish Council objects to this proposal for the reason that they consider it to be in breach of Policy ENV1(d) because of the loss of privacy that the new windows would cause to Ash Cottage.

4.2 Further correspondence was received from Much Hadham Parish Council commenting that “the three windows would overlook the driveway and house of the adjoining property, Ash Cottage. In particular, the windows would overlook the sitting room, the main bedroom and to some extent the kitchen of Ash Cottage. The sitting room and main bedroom have large Victorian sash windows, and if someone were to look out of the proposed windows at an angle of 45 degrees, (s)he would directly overlook the sitting room and the main bedroom of Ash Cottage. We (Much Hadham Parish Council) appreciate that Policy ENV1 (d) involves a matter of judgement, but we consider that in this case it is clear that the proposed windows do not respect the amenity of Ash Cottage and its present and future occupiers and do not ensure that their environments are not harmed by disturbance and inadequate privacy”.

### **5.0 Other Representations**

5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.

5.2 One neighbour representation has been received from the occupants of Ash Cottage who raise strong objections to the proposal stating that there would be a loss of privacy due to their living room, main bedroom, and, to lesser extent, kitchen which are no more than 12 metres distant and the large Victorian Sash windows will be overlooked at an angle less than 45 degrees by the proposed dormers.

5.3 A letter of representation has also been received from Cllr Carver who concurred with the comments of the residents of Ash Cottage and the Parish Council.

## **6.0 Policy**

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

|      |   |
|------|---|
| GBC3 | Appropriate Development in the Rural Area Beyond the Green Belt |
| ENV1 | Design and Environmental Quality                                |
| ENV5 | Extensions to Dwellings   |
| ENV6 | Extensions to Dwellings – Criteria                              |

## **7.0 Considerations**

### Principle of development

7.1 Policy GBC3 of the East Herts Local Plan Second Review April 2007 allows for limited extensions and alterations to existing dwellings in accordance with policy ENV5. With regard to what is considered as 'limited', it is Officers opinion that since the conversion of the loft space into habitable accommodation would not require formal planning consent, the principle of the increase in floor area of this dwelling could not be considered as part of this application. The key principle of development is therefore whether the insertion of these three dormers will impact upon the character and appearance of the original dwelling and the surrounding built form; whether it will intrude into the openness of the rural area; and whether they would adversely affect the amenities of the occupants of the neighbouring Ash Cottage.

### Impact upon the character and appearance of the original dwelling and surrounding built form

7.2 The existing character of Barn Cottage is that of a low-key residential dwelling within the rural area. The proposed dormers are minimal in scale and equally spaced upon the roof slope. Whilst acknowledging that the dwelling is sited with the rural area and the siting and form of these dormers are residential in nature, it is Officers opinion that they compliment the original ancillary character of the building. Although the dormers will change the appearance of Barn Cottage and will create more massing to the roof form of the building, it is considered that this will not be to the detriment of its character and appearance, nor disproportionately alter the size of the original building.

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- 7.3 With regard to the character and appearance of the neighbouring dwelling, it is Officers opinion that these dormers will not detrimentally impact upon the existing appearance of the buildings. Since Barn Cottage is set back from the rear of Ash Cottage and is on a slightly lower level, the introduction of the dormers will have minimal impact when viewed by passing traffic on Widford Road.
- 7.4 Policy ENV5 of the Local Plan states that development proposals should not intrude into the openness or rural qualities of the surrounding area. In considering the above, it is Officers opinion that this proposal would result in a minimal amount of development and due to its limited size and scale would not detrimentally impact upon the openness of the rural area.
- 7.5 With regard to Policy ENV6 of the Local Plan, it is also considered that the proposed dormers are appropriate to the design and character of the original dwelling and its surroundings. These dormers are of a limited extent and modest proportions, which do not dominate the roof form.
- 7.6 In considering the above it is therefore Officers opinion that this proposal will not disproportionately alter the size of the original dwelling or have a detrimental impact upon the character and appearance of the dwelling, the neighbouring dwelling or intrude into the openness or rural qualities of the surrounding area. The size, scale, siting and design of this proposal would therefore be in accordance with policies ENV1, ENV5 and ENV6 of the Local Plan.

#### Amenity considerations

- 7.7 A key consideration within this application is whether the proposed dormers will have a detrimental impact upon the enjoyment of the neighbouring dwelling, Ash Cottage. The occupants of Ash Cottage object to the proposal due to concern that the dormers would result in a loss of privacy due to their proximity to the living room, main bedroom and kitchen windows. The Parish Council concurs with this objection.
- 7.8 The dormer windows are proposed to be sited in the west facing roof slope. Ash Cottage is located to the south-west of the application site, and therefore the dormers would immediately overlook the parking area of Ash Cottage which is located on the northern side of that neighbouring property and located a minimum distance of 10 metres from the proposed dormers.
- 7.9 With regard to the concern of loss of privacy to the living room and kitchen windows of Ash Cottage it is Officers opinion that due to the acute angle of the proposed windows in relation to Ash Cottage and distance between the dwellings, any loss of privacy would be limited. Policy ENV1 (d) of the Local

Plan states that development proposals should ensure that the amenities of the occupants of the neighbouring buildings are not harmed to their detriment, and policy ENV5 states that planning permission will be granted provided that the amenities of any adjoining dwellings would not be significantly affected to their detriment.

7.10 In this case, the dormer window which is proposed to be sited closest to Ash Cottage would be some 12 metres to the closest window in the east facing elevation of Ash Cottage and approximately 13 metres to the window in the north facing elevation. Regard needs to be had not only to the distance between the windows, but also to the angle of overlooking from the proposed windows. As has been previously stated, Ash Cottage is sited to the south-west of Barn Cottage and therefore the proposed dormers would not directly overlook the property. The angle of overlooking would be at approximately 45 degrees. This angle, together with the distance, would mean that only a limited degree of overlooking would occur between the properties, and it would be very limited indeed to the ground floor window in the north facing elevation of Ash Cottage. In addition, taking into account the differences in land levels between the properties – that Barn Cottage is located at a lower level than Ash Cottage and that Barn Cottage is a single storey dwelling, it is considered that the proposed dormer windows would not result in any overlooking of the first floor window in the north facing elevation of Ash Cottage.

7.11 Taking into account, therefore, all of the above considerations, and in particular the distance between the properties, the relationship between them and the resultant angle of overlooking, it is considered that the degree of any overlooking would not be such that the amenities of the occupiers of Ash Cottage would be significantly affected to their detriment or to a degree that would warrant refusal of the application.

## **8.0 Conclusion**

8.1 In conclusion, it is considered that the proposed dormers are appropriate to the design and character of the original dwelling and its surroundings and are of a limited extent and modest proportions, which do not dominate the roof form. They will not disproportionately alter the size of the original dwelling or have a detrimental impact upon the character and appearance of the dwelling; the neighbouring dwelling; or intrude into the openness or rural qualities of the surrounding area.

8.2 It is also considered that, due to the siting and orientation of the dwellings, the proposed dormers will not have a detrimental impact upon the amenities of the occupants of the neighbouring dwelling by reason of loss of privacy to warrant refusal of the application.

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8.3 Officers therefore recommend that planning permission is granted subject to the conditions suggested at the head of this report.