

5k 3/12/0080/FP – Erection of single storey and two storey extensions to detached dwelling; erection of single storey extension to existing outbuilding; erection of detached double garage at 2, Long Lane, Aston, Stevenage, Hertfordshire, SG2 7HG for Mr and Mrs P and H Lovett

Date of Receipt: 18.01.2012

Type: Full – Other

Parish: ASTON

Ward: DATCHWORTH AND ASTON

RECOMMENDATION:

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

1. Time limit (1T121)
2. Approved plans (2E103; 11/323 L 001/C, 11/323 S 002/A, 11/323 S 003/B, 11/323 S 004/B, 11/323 L 005/H, 11/323 L 008/J, 11/323 L 009/J, 11/323 L 013/C, 11/323 L 017/C, 11/323 L 018/B, 11/323 L 019/C, 11/323 L 020/D, 11/323 L 021/D and 11/323 S 022/A)
3. The mitigation measures identified in the bat report dated 11th November 2011 and prepared by Jones and Sons Environmental Sciences Ltd shall be implemented in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect bats which are protected species under the Wildlife and Access to the Countryside Act 1981, and in accordance with 'saved' Policy ENV16 of the East Herts Local Plan Second Review April 2007.

Directives:

1. Other legislation
2. The applicant is advised that prior to commencement of works affecting the house, a European Protected Species licence will be required from Natural England. The licence application will need to include a Method Statement with the results of the bat surveys, a Mitigation Strategy and Works Schedule stating how it is proposed to accommodate each species within the development.

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

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of the East Herts Local Plan Second Review April 2007, and in particular policies ENV1, ENV2, ENV5, ENV6, ENV16 and GBC1) and guidance in the National Planning Policy Framework. The balance of the considerations having regard to those policies 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. It is a detached house located at the junction of Long Lane and Brookfield Lane in Aston. The site lies within the Metropolitan Green Belt.
- 1.2 The property has previously been extended with a two-storey side extension. In addition, a detached outbuilding has been constructed to the north of the dwelling.
- 1.3 The proposal is for a single-storey side and rear and a two-storey rear extension to the house, a rear roof dormer, an extension to the existing outbuilding and the erection of a detached double garage.
- 1.4 In addition the house would be fitted with external insulation, as well as roof insulation which requires a 300mm increase in the height of the ridge.

2.0 Site History:

2.1 The relevant planning history for the site is as follows:

- 1258/57 – Garage – Approved December 1957
- 1225/62 – Garage – Approved July 1962
- 1602/66 – Tractor shed – Approved October 1966
- 3/78/1591 – Detached agricultural worker's dwelling – Refused February 1979
- 3/79/0291 – Detached agricultural worker's bungalow – Refused June 1979
- 3/80/0016 – Erection of detached garage and tractor shed – Approved April 1980
- 3/80/0020 – Erection of single-storey rear and two-storey side extension – Approved April 1980

3.0 Consultation Responses:

3.1 The County Council's Highways engineer has no objection to the proposed development

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3.2 The Herts Biological Records Centre have recommended conditions in line with the recommendations in the bat survey included with the application

3.3 The Herts and Middlesex Wildlife Trust have recommended additional conditions relating to the protection of birds, provision of bat boxes and the obtaining of a European Protected Species license

4.0 Parish Council Representations:

4.1 Aston Parish Council has not commented on this application at the time of this report

5.0 Other Representations:

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

5.2 No letters of representation have been received at this time.

5.3 Any additional representations received will be reported to members, with officers' comments as appropriate

6.0 Policy:

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

ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV5	Extensions to Dwellings
ENV6	Extensions to Dwellings – Criteria
ENV16	Protected Species
GBC1	Appropriate Development in the Green Belt

6.2 Guidance contained in the National Planning Policy Framework is also of relevance to the consideration of this application

7.0 Considerations:

7.1 The site lies within the Green Belt. The main consideration is whether the extent of development proposed is appropriate in the Green Belt and if not, whether there are 'very special circumstances' to justify inappropriate development. In addition, the matter of the protection of the bats suspected to roost in the roof of the property needs to be

addressed.

Green Belt

- 7.2 Policies GBC1 and ENV5 of the Local Plan state that limited extensions to dwellings in the Green Belt will be acceptable in principle, and this is consistent with the guidance given in the recently published National Planning Policy Framework (para. 89).
- 7.3 The property had an original floor area of around 108m². Extensions approved in 1980 were subsequently constructed, resulting in an increase in floor area of around 65%.
- 7.4 Officers consider that any further additions to the property would result in a disproportionate enlargement of the dwelling, and this would constitute inappropriate development. It is therefore necessary to determine whether in this case the proposed extensions would result in additional harm to the character and the openness of the Green Belt or the character of the existing dwellinghouse, and whether there are factors that clearly outweigh that harm such as to constitute very special circumstances for permitting the development.
- 7.5 The proposed development is similar to what could be achieved at the property through making use of its remaining Permitted Development allowance.
- 7.6 The proposed single-storey side extension would be set back from the front of the house, reducing its prominence when viewed from the south of the site. It would extend beyond the back wall of the house, but at this point would be viewed against the proposed rear extension.
- 7.7 The two-storey rear extension would be comparable to that which could be built under the property's Permitted Development rights. It would be deeper, but not so much so that officers consider it would have a materially greater impact on the openness of the Green Belt. The roof of the extension has been altered from a gable to a hip following negotiations, resulting in an extension that would be less bulky than originally proposed.
- 7.8 Officers therefore consider that the correlation between the property's Permitted Development rights and the proposed extensions forms a material consideration in determining whether these elements of the proposal would be acceptable.
- 7.9 The development also includes a dormer window to the rear roof slope. This dormer would be set well within the body of the roof, with a hipped

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roof to reduce its prominence when viewed from outside the site.

- 7.10 The proposed double garage would be of a similar scale to the double garage approved in 1980 (ref: 3/80/0016). That permission remains extant as the tractor shed also approved under that application has been constructed. The garage approved in 1980 could be constructed in approximately the same location as that currently proposed. The proposed garage would be timberclad, to match the proposed extensions. This is considered to be an improvement over the previously approved brick exterior.
- 7.11 In addition, the garage would have a pitched roof, where the approved garage was proposed with a flat roof. The pitched roof would increase the height of the building, resulting in it being more visually intrusive within the Green Belt. However, views of the building would be limited due to it being screened by, or set against a backdrop of, the house from most viewpoints. The garage would mostly be visible from the north, from the footpath running along the east boundary of the site, and from the south at the site entrance. A garage of this size would not be unduly intrusive in the Green Belt, especially as a building of comparable size can otherwise be constructed on the site.
- 7.12 The development also includes an extension to the existing tractor shed adjacent to the north boundary of the site. The proposed footprint is the same as two small outbuildings and a low brick store currently on site, which would be removed as part of the development. Officers consider that the consolidation of the various outbuildings into a single footprint would improve the appearance of the site. The three outbuildings appear to be in poor condition while the tractor shed would be converted into a workshop and garden room, including its recladding with timber boarding to match the garage and proposed extensions. The extension would be aligned with the north site boundary but separated by approximately 2.5m. At this distance, it is considered that there would be no material impact on the amenities of the occupiers of no. 4 Long Lane to the north.
- 7.13 Officers consider that, on balance, the proposed development would be acceptable. The extent of works proposed is considerable, but the extensions to the dwellinghouse would not result in an unacceptable impact on the openness of the Green Belt in this location. The existing dwelling would remain the most prominent feature of the site, with the proposed extensions largely being sited to the rear. The side extension would be single-storey, and recessed from the front elevation by 2m. The use of weatherboarding as an external material for the extensions would differentiate the extensions from the original house, and create an element of visual interest.

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7.14 Officers therefore consider these considerations would clearly outweigh the harm to the openness of the Green Belt that would be caused by the extensions and that very special circumstances therefore exist to justify the grant of planning permission.

Bats

7.15 A bat survey has been completed at the site indicating that at least two species of bats are using the house as a roost, as well as that, birds may be using the building for roosting. Bats and birds are protected species, and it is a criminal offence to unlawfully cause harm to them or their roosts.

7.16 In order that the Council can be satisfied that it is appropriate to grant planning permission, given the potential for harm to the protected species, the Council must apply the following three tests to determine whether the application is acceptable, in accordance with the Habitats and Species Regulations 2010:

- The activity must be for imperative reasons of overriding public interest or for public health and safety;
- There must be no satisfactory alternative;
- The favourable conservation status of the species must be maintained.

7.17 With regards to the first test the proposed development would provide improved accommodation for the applicants and their family, commensurate with those allowed under the national scheme of “permitted development rights”. The proposed extensions are also required to bring the property up to modern standards and will enable the buildings to be more sustainable and energy efficient. This is considered to be sufficient to satisfy the first requirement.

7.18 As set out above the alternatives under permitted development rights may have a greater impact on the Green Belt, and this is not considered to be recommended. The design of the extensions is considered to be appropriate and no alternative design would meet the needs of the occupants whilst causing less damage to bats. Doing nothing would only lead to further deterioration of the roof and poor thermal properties.

7.19 Finally the ecologist who completed the survey has recommended a series of measures to be put in place before, during and after construction works, including the provision of alternative roosting points within the site and the inclusion of bat bricks or boxes on the house. A

condition is recommended to ensure these measures are implemented.

- 7.20 A European Protected Species license must be obtained prior to works commencing, and such provisions as outlined to mitigate the impact are likely to be incorporated with this work. A directive is added accordingly. Officers are, on balance, satisfied that the tests of the Habitats Regulations are met and that no harm would be caused to the protected species in this case.

Other matters

- 7.21 The proposed works include the planting of additional trees to the north-west corner of the site. This corner provides the most open views of the site and the majority of the proposed works, and the additional screening provided by the new trees would further mitigate against the impact of the extensions. Additional landscaping is proposed in the form of a new mixed indigenous hedge planted behind the existing fence along the east boundary.
- 7.22 It is considered that the landscaping would improve the character of the site, in accordance with policy ENV2 of the Local Plan.

8.0 Conclusion:

- 8.1 The proposed extensions represent disproportionate extensions of the property when taken together with existing extensions to the house. However, relative to the potential 'Permitted Development' extensions, the proposed development would not result in any significant loss of openness within the Green Belt.
- 8.2 The design of the extensions, garage and outbuilding extensions would be acceptable and there would be no material loss of amenities to neighbouring occupiers as a result of the proposed works. The recommended conditions are considered to provide adequate protection for bats on the site.
- 8.3 Having regard to the harm caused by inappropriateness and the loss of openness by the proposed extensions, weighed against the ability to use Permitted Development rights and all the other considerations, officers feel that there are 'very special circumstances' to justify the extensions, contrary to Green Belt policy. It is therefore recommended that planning permission be granted for the proposed development, subject to the conditions outlined above.