

**5f 3/12/2101/FP – First floor front, side and rear extensions; car port; external chimney; cladding of dwelling and extensions with stained timber boarding and retrospective permission for insertion of doors and windows to existing garage/outbuilding at Quin House (Previously known as Wellbury), Dassels, Braughing, Ware, SG11 2RP for Mr K Bird**

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**Date of Receipt:** 18.12.2012

**Type:** Full – Other

**Parish:** BRAUGHING

**Ward:** BRAUGHING

**RECOMMENDATION:**

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

1. Three Year Time Limit (1T12)
2. Approved Plans (2E102) (insert: BIR/12/01; BIR12/03B; BIR/12/04)

**Directive:**

1. Other legislation (01OL1)

**Summary of Reasons for Decision**

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan (Hertfordshire County Structure Plan, Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the 'saved' policies of the East Herts Local Plan Second Review April 2007 and in particular policies GBC3, ENV1, ENV5, ENV6 and TR7); the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012. The balance of the considerations having regard to those policies and the permission granted in 2011 (ref. 3/10/1932/FP) is that permission should be granted.

\_\_\_\_\_ (210112FP.SE)

**1.0 Background:**

- 1.1 The application site is shown on the attached OS extract. The property is a detached dwelling with white render and brown fenestration. It has benefited from recent refurbishment work including ground floor extensions and the construction of a large garage in the rear garden

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space which is accessed off the driveway which runs to the south of the dwelling.

- 1.2 This application seeks permission for first floor front, side and rear extensions; a car port; external chimney; cladding of the dwelling and extensions with stained timber boarding and retrospective permission for the insertion of doors and windows to the existing garage/outbuilding to the rear of the dwelling.
- 1.3 The first floor side extension is proposed to be some 2.5 metres wide and 8.6 metres deep, and the rear element would project beyond the existing first floor rear elevation of the dwelling by some 2 metres, but would be flush with the rear elevation of the existing single storey projections. The extension is proposed to have a gable to both the front and rear elevations with the ridge height matching that of the existing dwelling. The car port is proposed to be some 4 metres wide at its widest point and 2.8 metres high and would be sited between the flank elevation of the dwelling and the southern boundary of the site with the adjacent property which is known as Black Bull. The car port is proposed to be open to all elevations.

## **2.0 Site History:**

- 2.1 The relevant planning history to the site is as follows:

LPA reference	Description	Decision
E/1007-70, E/1008-70, E/1009-70	Erection of one detached dwelling	Approved with conditions
E/241-71	Erection of one detached dwelling	Approved with conditions
3/96/1748/FP	Two storey side extension and single storey rear extension	Approved with conditions (Not implemented)
3/01/0299/FP	Two storey front extension, single storey rear extension	Approved with conditions (Not implemented)
3/05/0764/FP	Single storey front and rear extensions, conservatory and detached garage	Approved with conditions (Implemented, except for conservatory)
3/10/1932/FP	First floor side and rear extension	Approved by Committee January 2011

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### **3.0 Consultation Responses:**

- 3.1 County Highways does not wish to restrict the grant of permission. They have commented that this application for extensions to a single residential property and garage/ outbuilding to the rear is acceptable in a highway context. Traffic generation is unlikely to be significant, sufficient parking is provided and no works to the existing access is required.

### **4.0 Parish Council Representations:**

- 4.1 Braughing Parish Council objects to the application on the grounds that the proposed extensions constitute overdevelopment of the site. The proposed extensions increase the footprint to an unacceptable degree. The Parish Council believes that there would be an unacceptable impact on the Black Bull. The Parish Council also commented that if the Planning Authority is minded to grant permission, a condition is requested to be attached that the leisure facilities cannot be for residential purposes.

### **5.0 Other Representations:**

- 5.1 The application has been advertised by way of site notice and neighbour notification.
- 5.2 At the time of writing this report, no letters of representation have been received.

### **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

- 6.2 The National Planning Policy Framework is also relevant to the determination of this application.

**7.0 Considerations:**

Principle of development

- 7.1 As the site lies within the Rural Area, the principle of development is assessed under policy GBC3 of the East Herts Local Plan Second Review April 2007. Under part (c) of this policy, consideration is given as to whether this proposed extension can be considered as “limited” and whether it accords with the criteria of policy ENV5. The principle objective of this policy is to limit the impact an extension may have on the character and appearance of an existing dwelling, both in itself and in relation to any adjoining dwelling and on the appearance of the locality. Whilst the principle of extending a dwelling is generally acceptable, the main concern lies with the effect of extensions on the general maintenance of a supply of smaller dwellings outside of the main towns and settlements, and also with the cumulative impact of development in the countryside.
- 7.2 The proposed extensions in this application combined with previously implemented extensions and an outbuilding amounts to a cumulative floor area increase in the size of the property of 124% which cannot be considered as a limited extension, as is required by policy GBC3. Accordingly, Officers are of the opinion that the proposed development is contrary to policy and represents inappropriate development in the rural area.
- 7.3 It is a material consideration however that planning permission has previously been granted for extensions to the property. Most recently planning permission was granted for a two storey side and rear extension (ref. 3/10/1932/FP), which resulted in a cumulative increase of some 120%. In determining this application therefore, regard must be had to this material consideration and consideration must also be given to the visual impact of the proposed extensions.

Impact on character and appearance

- 7.4 In considering the impact of the proposed extensions on the character and appearance of the existing dwelling and the surrounding area, the planning history of the site is a material consideration. As previously set out in this report, a number of planning permissions have been granted for first floor side, front and rear extensions to the property, although none of these have been implemented. Most recently planning permission was granted for a first floor side and rear extension (ref. 3/10/1932/FP). This permission has not been implemented although the permission is still extant.

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- 7.5 This current application is similar in terms of its size and scale to the 2010 permission albeit the application proposes a gable to the front elevation and an increase to the size of the rear extension to accommodate an en-suite bathroom. It is considered however that the proposed extensions remain of an appropriate size, scale, form and design, such that the character and appearance of the existing dwelling is not unacceptably harmed. Whilst this application proposes a gable to the front elevation, the gable would not project beyond the existing front elevation of the dwelling and in Officers opinion would not appear as prominent within the streetscene. The limited harm to the character and appearance of the dwelling and surrounding area is a material consideration to which some weight should be attached.
- 7.6 With regards to the proposed car port, this is of a simple form with a flat roof that is supported on pillars leaving the front, rear and side elevations open. Officers consider this to be a simple addition to the dwelling with an incidental function that will not be harmful to the character and appearance of the dwelling or that of the surrounding building form. Officers also consider that the addition of the chimney stack will add interest to the northern flank of the dwelling, and raise no objection to the cladding of the building and extensions with stained timber boarding.
- 7.7 It has been noted that the Parish Council consider that the application would constitute overdevelopment of the site and would increase the footprint of the dwelling to an unacceptable degree. Officers consider that the proposed development would not significantly increase the footprint of the dwelling (the car port is the only element of the development that would increase the footprint of the dwelling), nor would it result in a significant increase in the amount of development on the site.
- 7.8 Having regard therefore to the above considerations, it is the view of Officers that whilst the proposed extensions cannot be considered to be limited in accordance with policy GBC3, having regard to the planning history of the site and the limited harm the proposal would cause to the character and appearance of the dwelling and its surroundings, the proposal should be viewed favourably.
- 7.9 Turning to the works to the garage, Officers do not consider that the insertion of the doors and windows are detrimental to the character and appearance of the building, which remains as an incidental building to the main dwellinghouse. Planning permission was granted for this building in 2005 (ref. 3/05/0764/FP), and it was not subject to any condition restricting its use. Therefore the use of this building as a

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garage/gym/garden room is for a purpose incidental to the enjoyment of the dwellinghouse, does not constitute a change of use of the building for which planning permission is required.

- 7.10 The concerns of the Parish Council in respect of the future use of this building for residential purposes have been noted. However, any future change of the use of this building from an incidental use would require planning permission and therefore it would be unnecessary to include a condition restricting the use of this outbuilding. Such a condition would not meet the tests set out in Circular 11/95.

#### **Impact on neighbour amenity**

- 7.11 Whilst the Parish Council have raised concern in respect of the impact of the development on the dwelling to the south, known as Black Bull, Officers consider that sufficient spacing exists between the proposed extension and the neighbouring dwelling (Black Bull is sited approximately 13 metres from the southern boundary of the application site) such that the proposed development would not result in a significantly harmful impact on this dwelling, or any other nearby dwellings, particularly as the nearest element of the proposal would be the open car port.

### **8.0 Conclusion:**

- 8.1 Officers consider that the amount of development proposed cannot be considered as 'limited', and is therefore contrary to policy GBC3 of the Local Plan. However, having regard to the above considerations, Officers are of the opinion that the proposed extensions would not result in significant harm to the character or appearance of the dwelling or the open, rural character of the site. It is therefore recommended that planning permission be granted subject to the conditions set out at the beginning of this report.