

3/14/2122/FP – Two storey side extension at Pine Cottage, Ducketts Lane, Green Tye, Much Hadham, Hertfordshire, SG10 6JN for W and L Bird

Date of Receipt: 27.11.2014

Type: Full – Other

Parish: MUCH HADHAM

Ward: MUCH HADHAM

RECOMMENDATION:

That planning permission is **REFUSED** for the following reason:

- 1) The cumulative effect of the proposed extension, together with the extensions previously added to the dwelling, would disproportionately alter the size of the original dwelling, which would be out of keeping with the character and appearance of the original dwelling and to the detriment of the openness and rural character of the surrounding Rural Area. The proposal is thereby contrary to policies GBC3 and ENV5 of the East Herts Local Plan Second Review April 2007.

Summary of Reasons for Decision

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012, East Herts Council has considered, in a positive and proactive manner, whether the planning objections to this proposal could be satisfactorily resolved within the statutory period for determining the application. However, for the reasons set out in this decision notice, the proposal is not considered to achieve an acceptable and sustainable development in accordance with the Development Plan and the National Planning Policy Framework.

_____ (142122.NM)

1.0 Background

- 1.1 The application site is shown on the attached OS Map. It is located within the Rural Area beyond the Green Belt and within the Green Tye Conservation Area.
- 1.2 The site is occupied by an end of terraced dwelling. The dwelling is of a traditional appearance, constructed using red bricks and slate for the roof.
- 1.3 The proposal is for a two storey side extension. The extension would increase the width of the dwelling by 2.6 metres and would have a depth of 4.8 metres, joining with an existing two storey extension at the

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rear. The extension would be set back 40 cms from the existing front elevation and would have a slightly lower ridge height than that of the roof of the main dwelling.

- 1.4 Alterations are also proposed to the ground floor windows with the existing extension, which Officers consider to form Permitted Development and as such they do not form part of the consideration of this application.
- 1.5 The current proposal follows a previously refused planning application for a two storey side extension that was dismissed at appeal in 2013, under LPA reference number 3/12/1715/FP.
- 1.6 The application is being reported to Committee at the request of Councillor M Carver.

2.0 Site History

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

2.2 Planning permission was refused for a two storey side extension in 2012 under LPA reference 3/12/1715/FP for the following reasons:

- 1) The cumulative effect of the proposed extension, together with the extensions previously added to the dwelling, would disproportionately alter the size of the original dwelling, which would be out of keeping with the character and appearance of the original dwelling and to the detriment of the openness and rural character of the surrounding Rural Area. The proposal is thereby contrary to policies GBC3 and ENV5 of the East Herts Local Plan Second Review April 2007.
- 2) The proposed development, by reason of its size, scale, proportions and design would result in an unsympathetic form of development that would be out of keeping with the character and appearance of the existing dwelling and detrimental to the character and appearance of the Green Tye Conservation Area wherein the site is situated, contrary to Policies ENV1, ENV5, ENV6 (a) and BH5 of the East Herts Local Plan Second Review April 2007 and national planning policy guidance set out in the National Planning Policy Framework.

This application was dismissed at appeal in 2013 and a copy of the appeal decision is attached as **Essential Reference paper 'A'**.

2.3 In 2004 planning permission was granted for single storey side and rear

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extensions under LPA reference 3/04/1412/FP.

2.4 Planning permission was granted in 1986 for a 1st floor rear extension and a porch under LPA reference 3/86/0207/FP.

2.5 Planning permission was refused in 1985 for a two storey side extension under LPA reference 3/85/0881/FP.

2.6 In 1966 planning permission was granted for a single storey rear extension under LPA reference 3/66/1757/FP.

3.0 Consultation Responses

3.1 No responses have been received from Statutory Consultees.

4.0 Parish Council Representations

4.1 The Much Hadham Parish Council have not commented on the application.

5.0 Other Representations

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

5.2 2 No. representations have been received. 1 representation is in support of the proposal, which sets out no further information, and 1 raises objections which can be summarised as follows:

- The property has already been extended to the permitted limit;
- There has been no policy change since the previous refusal;
- Impact on light to neighbouring property;
- The site is within the conservation area and should be conserved;
- If approved it would set a precedent which would be dreadful for the hamlet;
- The property already resembles little of the original dwelling and if extended it would fit in even less.

6.0 Policy

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

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| 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 |
| BH5 | Extensions and Alterations to Unlisted Buildings in Conservation Areas |

6.2 The provisions of the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) are also of relevance to this application.

7.0 Considerations

7.1 The site is located within the Rural Area beyond the Green Belt wherein Policy GBC3 allows for 'limited' extensions and Policy ENV5 expects extensions, cumulatively with previous additions to a dwelling, to not be disproportionate to the size of the original dwelling house.

7.2 The determining considerations for this application relate to the principle of the proposed development and whether it would comply with the requirements of Policies GBC3 and ENV5, the impact that the development would have upon the Green Tye Conservation Area and the effect on the amenities of neighbouring occupiers.

7.3 The Council's previous decision to refuse planning permission for a two storey side extension and the dismissed appeal in 2013 form material considerations.

7.4 Previous decisions and a recent appeal decision in respect of a single storey rear extension at 3 Red Brick Cottage, the dwelling at the southern end of the terrace, are also material.

Principle

7.5 Information submitted with the planning application in 1966 indicated that, at that time, the dwelling was modest in scale, it was two storey and had only a single room at ground floor. The Council has taken the view that this formed the original dwelling (as it stood in 1948) in respect of the decisions made on the previous planning application submitted in 2012. The 1966 plans show what appears to be a rear addition to the dwelling. However this was not labeled as an existing plan and, as such, it is not conclusive that a ground floor extension formed part of the original dwelling, as it stood at that time. For the

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purposes of decision making however, it has now been assumed that it existed.

- 7.6 On that basis, the original dwelling would have had a floor area of up to 61sqm. The 2012 appeal decision stated that the previous extensions to the dwelling amounted to a 94% increase in the floor area of the original dwelling. However, if the single storey rear extension shown on the 1966 plans is taken to form part of the original dwelling then the existing extensions to the dwelling can be taken as forming a 70% increase.
- 7.7 The now proposed two storey side extension would result in a further addition of 65 sqm. The applicant has estimated this to be 63 sqm. This results in a cumulative increase of 106 % (or 103 % using the applicant's figures) to the size of the original dwelling house. This increase to the size of the dwelling cannot be considered to form 'limited' extensions that are not disproportionate to the size of the original dwelling as Policies GBC3 and ENV5 require.
- 7.8 In the 2012 appeal decision letter, the Inspector set out that:
- 'Whilst the policies do not quantify 'limited' or 'disproportionate' by reference to floor area, I consider that , by more than doubling the original floor area, the cumulative effect of the existing and proposed extensions would amount to a disproportionate increase in the size of the original building which would reduce the openness of the Rural Area. Therefore the proposal would not comply with LP policies GBC3 and ENV5'. (Paragraph 5)*
- 7.9 The current proposal would double the original floor area of the dwelling and as such the proposal fails to overcome the Inspectors' concerns and remains in conflict with Policies GBC3 and ENV5, which is consistent with other decisions made across the District and by Inspectors at appeal.
- 7.10 In addition, the location of the proposed extension, to the side of the dwelling, and forwards of the existing extension, would result in a loss of open space in that location that would be visible from Ducketts Lane, an issue that was raised by the Inspector in respect of an appeal at a neighbouring property, which is explained further below.
- 7.11 It is relevant to consider an appeal that was allowed at 3 Red Brick Cottage, the neighbouring dwelling at the southern end of the terrace, in January 2015. This proposal, dealt with under LPA reference 3/14/1314/FP, was for a single storey rear extension to the existing

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dwelling which would have increased the floor area of the dwelling by only 10 sqm.

- 7.12 The Inspector's report in this case stated that the proposed extension would not impact upon the Conservation Area, the host building or the surrounding countryside. It was noted that, whilst the extension would be visible from the countryside to the rear, it would be viewed against the backdrop of the rear elevation and would be screened from Ducketts Lane by the main bulk of the original cottage.
- 7.13 It is considered that the circumstances of the proposal set out above differ from that of the current application which is the subject of this report. Having regard to the small size of the extension proposed at the neighbouring site, its location to the rear of the dwelling and its single storey height, it is considered that the circumstances are clearly different to the current application site and that little weight should be given to this appeal in the current decision making. The proposal under consideration here is of a larger size, is two storeys in height and would be located within a prominent position to the side of the dwelling. As such it would have a significantly greater impact upon the character of the Rural Area than the single storey rear extension that was allowed at appeal at the neighbouring site.

Impact upon Conservation Area

- 7.14 With respect to the second reason for refusal given to the 2012 proposal, relating to design and the impact upon the Conservation Area, Officers consider that this has now been overcome. The 'cat slide' roof has been removed from the proposal and the extension is now of a traditional and more sympathetic design. The improved design and the extension and its location to the side of the dwelling, which would screen the existing two storey side extension, are benefits of the proposal which should be given some weight in the consideration of the current application.
- 7.15 The assessment of the Green Tye Conservation Area set out in the draft assessment document has been taken into account in reaching this view.

Neighbour Impact

- 7.16 At its closest point the proposed extension would be set back 3.5 metres from the northern boundary of the site with the neighbouring Willow Cottage. This northern boundary adjoins a driveway and a garage and the neighbouring dwelling house itself is set back a further

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14 metres from this boundary. Having regard to these distances, Officers do not consider that the proposal would result in an unacceptable impact upon the amenities of the occupiers of Willow Cottage.

- 7.17 As the extension is proposed to the northern flank of the dwelling it would be screened from the neighbours to the south by the existing dwelling.
- 7.18 Whilst the concerns that have been raised by a neighbour in respect of loss of light are noted, having regard to the siting of the proposed extension, Officers do not consider that it would result in an unacceptable impact upon the amenities of any of the neighbouring occupiers.

8.0 Conclusion

- 8.1 The proposed two storey side extension would result, cumulatively in the size of the original dwelling being more than doubled. This would fail to comply with the requirements of Policies GBC3 and ENV5 which support only limited and proportionate extensions. They are therefore to the detriment of the openness and rural character of the surrounding Rural Area. This issue must be given some considerable weight and given the previous decisions referred to above through the appeal process. Whilst the proposed design is considered to represent an improvement to the dwelling overall, this is not considered to outweigh the harm that is caused in principle by the expansion of the property.
- 8.2 Having regard to the above considerations it is recommended that planning permission is refused for the reason given at the head of this report.