

DEVELOPMENT MANAGEMENT COMMITTEE – 9 DECEMBER 2015

Application Number	3/15/1724/FUL
Proposal	Single storey extension to garage, amended single storey side extension and erection of entrance gates and piers
Location	Westledon, Pigs Green, Westland Green, SG11 2AH
Applicant	Mr G Best
Parish	Little Hadham – CP
Ward	Little Hadham

Date of Registration of Application	02 September 2015
Target Determination Date	28 October 2015
Reason for Committee Report	The application is contrary to Rural Area Policy and objections have been received from the Parish Council and a neighbouring property

RECOMMENDATION:

That planning permission be **GRANTED**, subject to conditions.

1.0 Summary

- 1.1 The proposal seeks permission for the erection of a single storey side extension, an extension to an outbuilding and the erection of entrance gates. Whilst the proposed extensions would be modest in size, this proposal would, cumulatively with previous extensions added to the dwelling, result in an increase in the floor space of the original dwelling by over 150% which would be contrary to Rural Area policy.
- 1.2 However, it is considered that the proposed extensions would not have a harmful impact on the character and appearance of the existing dwelling or the open character of the surrounding area.
- 1.3 The application has been referred to Members for a decision as it is contrary to Rural Area policy, and neighbour objections have been received.

2.0 Site Description

- 2.1 The site lies within the Rural Area beyond the Metropolitan Green Belt wherein policy GBC3 of the Local Plan is applicable. Westledon is a detached 2 storey dwelling that has been extended previously. The

dwelling is finished externally in render and is set almost 40 metres back from the highway. The property has a large curtilage and is surrounded by mature boundary landscaping.

3.0 Background to Proposal

- 3.1 Planning permission was previously granted for the construction of 2 storey side and rear extensions to the property; the raising of the roof to create a second floor; a single storey side extension and a detached cart lodge under reference 3/14/1532/FP. These extensions and alterations are currently under construction and increased the floorspace of the original dwelling by approximately 142%. Whilst this application was also considered to be contrary to Rural Area Policy, as no objections were received, the application was determined under delegated powers. Officers considered that these extensions and alterations to the original dwelling would have an acceptable impact upon the rural character of the area. The extensions individually were of a size and design not harmful to the character and appearance of the existing dwelling or the surrounding locality although cumulatively their floorspace exceeded what could be termed as 'limited' within the meaning of policy GBC3.
- 3.2 The current proposal seeks planning permission for the construction of a single storey side extension to the main dwelling; a single storey extension to the garage/carport that was granted consent within LPA ref. 3/14/1532/FP, and the construction of entrance gates with walls and piers along the south western boundary. It is important to note that the single storey side extension was granted planning permission under the 2014 consent; this application only seeks changes to the design of the proposed extension.

4.0 Key Policy Issues

- 4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF) and the adopted East Herts Local Plan 2007:

Key Issue	NPPF	Local Plan policy
The principle of the development in the Rural Area		GBC3
The design of the proposed extensions and their impact on the character and appearance of the dwellinghouse and the surrounding Rural Area	Section 7	ENV1, ENV5, ENV6 and GBC3

Other relevant issues are referred to in the ‘Consideration of Relevant Issues’ section below.

5.0 Emerging District Plan

5.1 In relation to the key issues identified above, the policies contained in the emerging District Plan do not differ significantly from those contained in the adopted Local Plan and the NPPF as identified above. Given its stage in preparation, little weight can currently be given to the emerging Plan.

6.0 Summary of Consultee Responses

6.1 Hertfordshire Ecology considers from the details provided with this application that it appears that neither the main roof of the dwelling nor any known bat roost will be impacted on by the changes to the previous application and on this basis there is no objection to the proposed development.

6.2 Herts Middlesex Wildlife Trust considers that the ecological survey puts forward appropriate avoidance/mitigation/enhancement compensation measures and recommend that a suitable condition should be added to the grant of consent to ensure protected species are not harmed.

6.3 Natural England have no comments to make on the application.

7.0 Parish Council Representations

7.1 Little Hadham Parish Council has the following comments to make on the proposals:

“The Council agreed not to object to most of the application. However, it did object to the design for the new entrance. Westledon is sited on a lightly wooded area with generally open views from surrounding areas. The application shows solid wooden gates 4 metres wide with adjacent brick walls 1.68 metres wide – all 1.8 metres high. The Council believes that by size and design, this is inappropriate for this location. The Council feels that the gates and wall should be of a lower, more open design allowing passers-by to see through them. The current design will dominate the scene and change the pleasant outlook residents currently enjoy.”

8.0 **Summary of Other Representations**

8.1 Two letters of objection have been received from two occupiers of one nearby residential property which raises the following concerns:

- The proposed boarded gates and brick wall would be out of character with the rural area;
- Small timber gates and fencing would be more adequate;
- There is no objection to the extension to the garage or to the amended side extension (sunroom).

9.0 **Planning History**

Ref	Proposal	Decision	Date
3/13/2265/FP	Demolition of existing extensions, the erection of two storey side and rear extensions, raising of roof and a garage/cart lodge.	Granted	03.03.2014
3/14/0572/FP	Demolition of existing extensions, the erection of a single storey and two storey side and rear extensions, raising of roof and insertion of 2 dormer windows	Refused	19.06.2014
3/14/1532/FP	Demolition of existing flat roof extensions to dwelling and garage, erection of extensions, raise ridge height and replacement garage/cart lodge.	Granted	15.10.2014

10.0 **Consideration of Relevant Issues**

10.1 The site lies in the Rural Area beyond the Green Belt wherein policies GBC3 and ENV5 allow for only limited extensions to existing dwellings that do not disproportionately alter the size of the original dwelling when taken cumulatively with previous extensions. In this case it is important to take into account the extensions that have been approved (and are currently under construction) to the original dwelling within LPA

reference 3/14/1532/FP as outlined above in paragraph 9.0. These extensions and alterations have permitted an increase to the size of the original dwelling by approximately 142%. The extensions within this application would increase the floorspace of the original dwelling slightly further, up to a total of approximately 150%. Officers therefore consider the floorspace increase to disproportionately alter the size of the original dwelling in conflict with policies GBC3 and ENV5 of the Local Plan. However, it is important to consider the impact of the development and whether there is any harm arising from the scale of development proposed.

Design and impact on the Rural Area

- 10.2 The application proposes an extension to the outbuilding that was granted permission within LPA reference 3/14/1532/FP. The extension would measure approximately 2.7 by 7.5 metres and would be constructed in timber boarding to match the approved garage/cart lodge. The applicant has outlined that the proposed extension is required because the main dwelling is to be sustainably heated and additional space is required for boiler plant and pellet storage. The proposed extension would be lower in height than the roof ridge of the garage cart lodge and would have a modest eaves height. The proposed extension would remain subservient in relation to the outbuilding which in turn would remain subservient in relation to the main dwelling. The proposed extension and resultant outbuilding would retain at least 19 metres to the adjacent highway and the site is bounded by mature landscaping. The extension would not be harmful to the character and appearance of the existing dwelling or the open character of the surrounding rural area.
- 10.3 This application also proposes the construction of a single storey side extension measuring approximately 5.1 by 4.9 metres. It is important to note that planning permission was granted under LPA reference 3/14/1532/FP for several extensions which included the construction of a side extension similar to the one within this application. The proposed single storey side extension would be of the same height, width, length and siting as the extension that has been previously approved. The only difference in this case is the design and appearance of the proposed extension. The amended extension within this proposal has a reduced amount of glazing and openings along its 3 elevations. It is considered that the amended design of the extension and the reduction in the number of windows would not be harmful to the character and appearance of the existing dwelling. Therefore having regard to the extension approved within LPA reference 3/14/1532/FP, the modest

size and scale of the proposed extension and that it would be of an appropriate design, it is not considered that this element would be harmful to the character and appearance of the existing dwelling or the surrounding locality.

- 10.4 Therefore, whilst the cumulative floorspace figures indicate that the extensions would be disproportionate in size, the external scale of development is considered to be modest, and the design is considered to be sympathetic to the character and appearance of the existing dwelling.
- 10.5 The construction of front entrance gates, walls and piers is also proposed within this application. The proposed gates and adjoining walls would have a height of between 1.8 and 1.82 metres. A total of 4 piers would be sited either side of the proposed entrance gates and these would have a height of 2.2 metres.
- 10.6 It is noted that the Parish Council and a neighbouring property have raised concerns that the proposed gates would be of a height and design that would not be in keeping with the character and appearance of the rural area. It is acknowledged that the proposed gates would be constructed in timber and would be 'solid' in appearance. However, it is important to note that the proposed gates and piers would be set some 12 metres back from the highway and would be set amongst mature boundary treatment that is to be retained. The proposed gates and piers would be of a simple design and, whilst they would have a cumulative length of 7.4 metres, this is a modest entrance when compared to the 90 metre front boundary line of Westledon. It is not therefore considered that the proposed entrance gates, walls and piers would have a detrimental impact upon the open character and appearance of the street scene or the immediate and wider rural area.
- 10.7 In this case it is also important to consider the height of any boundary treatment that could be constructed without the need for planning permission, using 'permitted development' rights. Part 2, Class A 'permitted development' permits the erection of a boundary treatment without permission provided that it does not exceed a height of 2 metres where it is not sited adjacent to a highway. In this instance the gates and walls would be set 12 metres back from the highway and as such it is not considered that they would be sited adjacent to a highway. Therefore, gates and walls erected in this position that did not exceed 2 metres in height would meet this criterion and be permitted. The piers proposed in this case would reach 2.2 metres in height and as such only slightly exceed the permitted height under Class A, by a modest

0.2 of a metre. It is considered that this 'fallback position' constitutes a material consideration in the determination of the application.

Neighbour Amenity

- 10.8 Turning to the impact upon the nearest neighbouring properties, taking into account that the proposed development would retain at least 80 metres to the nearest neighbouring properties, including Homelea and High Oaks, together with the existing mature boundary landscaping, Officers do not consider that the proposal would create a detrimental impact upon the neighbours amenity from loss of light, overlooking or similar.

Ecology

- 10.9 Having regard to the latest advice from Herts Ecology, Officers consider that the measures outlined within the 2013 Ecology report are sufficient to ensure that the proposal would not have an unacceptable impact upon protected species. It is also important to note that the extensions and alterations within this application do not alter the roofspace of the original dwelling and the extension to the garage would be to a building that is currently being constructed under LPA ref. 3/14/1532/FP. It is not therefore considered to be necessary to add a condition in respect of the submission of a bat survey/report.

11.0 Conclusion

- 11.1 Whilst the floorspace calculations indicate a disproportionate increase in the size of the original dwelling, Officers do not consider the proposed extensions and alterations to result in any harm in relation to the character and appearance of the site and surrounding area. The proposed single storey extensions and the front entrance gates and piers would be set a substantial distance back from the highway and are not considered to be visually harmful to the character or appearance of the wider area.
- 11.2 Although concerns have been raised with the height and the design of the proposed gates and piers, given that these would retain a distance of 12 metres to the highway; that the proposed gates alone could be constructed under Class Part 2, Class A permitted development, and that the proposed piers would only exceed Class A criteria by a modest 0.2 of a metre, Officers do not consider the resultant design and scale of development to detract from the openness of the surrounding Rural Area. Given that no harm has been identified in the assessment of this

proposal, Officers consider the proposed development to be acceptable.

- 11.3 The application is therefore recommended for approval subject to the conditions set out below.

Conditions

1. Time limit (1T121)
2. Approved plans (2E101)
3. Materials of construction (2E11)

Informatives

1. Other legislation (01OL1)
2. Bats (32BA)

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 (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); the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The balance of the considerations having regard to those policies and the approval of LPA reference 3/14/1532/FP is that permission should be granted.