

DEVELOPMENT MANAGEMENT COMMITTEE – 25 MAY 2016

Application Number	3/16/0608/HH
Proposal	Raising of roof ridge, insertion of 4 dormer windows, front and rear extensions, front porch and insertion of flank windows
Location	The Conifers, Hill Farm Nursery, Old Hall Green, Ware
Applicant	Mr D Fox
Parish	Thundridge
Ward	Thundridge and Standon

Date of Registration of Application	14 March 2016
Target Determination Date	9 May 2016
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
Case Officer	Faye Morley

RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions set out at the end of this report.

1.0 Summary

- 1.1 The proposal seeks permission for extensions and alterations to the existing dwelling. Whilst individually the proposed extensions would be modest in size, this proposal would cumulatively 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 and alterations would not have a harmful impact on the character and appearance of the existing dwelling or the open character of the surrounding area. As such, it is considered that the grant of planning permission, contrary to Rural Area policy, is justified in this case.
- 1.3 The application has been referred to Members for a decision as it is contrary to policy, and objections have been received from a neighbour and the Parish Council.

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. The Conifers is a detached bungalow that has been extended previously to the rear with a conservatory. The dwelling is finished externally in brickwork and is set over 15 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 refused within application reference 3/15/2432/HH to raise the roof of the dwelling to create a first floor, front and rear extensions, insertion of 4 dormer windows and first floor flank windows for the following reason:

The proposed development would disproportionately alter the size of the original dwelling, would be out of keeping with its character and appearance and would have a detrimental impact upon the rural qualities of the surrounding area. The proposal thereby constitutes inappropriate development in the Rural Area beyond the Green Belt contrary to Policies GBC3 and ENV5 of the East Herts Local Plan Second Review April 2007.

3.2 Specific concerns were raised with the size and scale of the extensions then proposed and the resultant height of the dwelling. The proposed extensions would have increased the floor space of the original dwelling by over 200%. As such Officers considered that the proposed extensions and alterations would have been out of keeping with the character and appearance of the dwelling and would have been detrimental to the rural qualities of the surrounding area.

3.3 The current proposal seeks permission for a similar form of development to that previously refused, but with a reduced size, scale and height.

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		GBC3

Rural Area		
The design of the proposed extensions and their impact on the character and appearance of the dwellinghouse; the surrounding Rural Area and on neighbour amenity	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 The Highway Authority does not wish to restrict the grant of planning permission and notes that the existing access arrangements remain unchanged.

7.0 Parish Council Representations

7.1 Standon Parish Council has written in objection to the proposal and raises the following concerns:

- The front elevation of the proposal is identical to that of the previous refused proposal
- The eastern flank elevation is identical to that of the previous refused proposal except for the depth of the ground floor extension
- The resultant dwelling would overshadow and create a loss of light to the property to the east of the site.
- The rear elevation appears to show a Juliet balcony which is not shown on the first floor plan
- The western flank elevation is the same to that of the previous refused proposal except for the omission of the ground floor rear extension
- The proposal would be dominant and out of keeping with the street scene and would represent over development of the site.

The Parish Council also comments on the lack of detail in the submitted plans and do not consider the changes from the previously submitted application to be significant.

8.0 Summary of Other Representations

8.1 One letter of objection has been received from the occupiers of the neighbouring property which raises the following concerns:

- The proposal would reduce the daylight received by their kitchen and the lounge
- The extensions, due to their resultant size and height, would overpower their bungalow and would be out of keeping with the other dwellings in the area;
- Consider there is very little difference between the current application and the refused application.

9.0 Planning History

9.1 The following planning history is of relevance to this proposal:

Ref	Proposal	Decision	Date
3/15/1312/HH	Raising of roofridge to create first floor, front and rear extensions, insertion of 4 dormer windows and first floor flank windows.	Withdrawn by applicant	14.08.2015
3/15/2432/HH	Raising of roofridge to create first floor, front and rear extensions, insertion of 4 dormer windows and first floor flank windows.	Refused	02.02.2016

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 the proposed extensions would increase the floor space of the original dwelling, by up to a total of approximately 150%. Officers therefore consider the floor space 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 to raise the roof of the existing property to create a first floor. Rear and front extensions, dormer windows and several first floor flank windows are also proposed. It is proposed to raise the roof ridge by 1.3 metres and to insert a total of 4 dormer windows (3 in the front roof space of the dwelling and 1 in the rear elevation).
- 10.3 It is important to note that the height of the resultant dwelling has been reduced by 0.6 metres from that previously refused permission within application reference 3/15/2432/HH. It is acknowledged that this would create a dwelling that is 1½ storeys in height which would be visible within the street scene. It is considered, however, that the resultant roof ridge height and eaves height would nevertheless represent a proportionate extension to the existing dwelling. The property to the west of the site known as Creggans is a dwellinghouse of 2 storeys in height and the dwelling known as New Bungalow to the south of the site was granted planning permission within application reference 3/15/0620/HH to increase its roof ridge height by 1.2 metres to form a 1½ storey dwelling. There is therefore a varying character and height of dwellings within the area and it is not considered that the resultant dwelling would appear out of keeping with the general character and appearance of the surrounding locality.
- 10.4 This application also proposes the construction of a front extension and rear extensions. The concerns raised by the Parish Council and the neighbouring dwelling in respect of the lack of alterations made to this application following the refusal of LPA reference 3/15/2432/HH have been noted. However, it is not the case that the extensions now proposed are identical to those recently refused planning permission. It is important to note that the proposed ground floor rear extension has been reduced in depth by some 3 metres and the first floor rear extension has been reduced by 1.5 metres. The proposed rear extensions, whilst extending across the rear of the property, would now extend a modest 3 metres beyond the rear wall of the original dwelling which is considered to be an appropriate depth in relation to the existing dwelling which has an existing depth of 9.6 metres. The proposed rear extension would only be visible from partial side views of the property which reduces the overall impact of the development on the surrounding area. The proposed gable and rear dormer elements, whilst large, have been set down from the roof ridge of the property by

1 metre and would not appear unduly dominant or intrusive in the overall design of the property.

- 10.5 The proposed extension to the front, whilst visible from the street scene, would retain a distance of over 8 metres to the highway and would be partially screened by the existing hedge that lines the front boundary. The proposed front extension would have a modest depth of 1.2 metres and a footprint of 4.6 m². It has been set down from the roof ridge of the dwelling by 1.6 metres to form an addition that would be subservient in relation to the main dwelling. It is noted that the proposed extension would be of a similar siting, depth and footprint to the existing single storey front element. Whilst a larger area of glazing on the first floor is proposed, this is not considered to be harmful to the character and appearance of the existing dwelling. It is also considered that the proposed front and rear extensions would not be harmful to the character and appearance of the existing dwelling or the street scene.
- 10.6 An open front porch is also proposed which would be of an appropriate and modest size and scale and would not be detrimental to the character and appearance of the dwelling or the surrounding locality.
- 10.7 In respect of the proposed dormer windows, 3 dormer windows would be inserted within the front roof space of the dwelling and as such would be visible from within the street scene. However, given that they are well balanced and evenly spaced and that they would be set down from the roof ridge of the resultant dwelling by 1.5 metres, it is not considered that the proposed front dormer windows would have a harmful impact upon the character and appearance of the existing dwelling or the surrounding street scene. In accordance with Policy ENV6 (e) of the Local Plan, the proposed dormer windows in the front and rear roof space would be limited in extent and would not dominate the roof space. Officers do not consider therefore that the resultant height of the existing dwelling or the dormer windows that are proposed would have a harmful impact upon the character and appearance of the existing dwelling or the open character and appearance of the street scene or the immediate and wider rural area.
- 10.8 The comments of the Parish Council in relation to the inconsistencies in the plan relating to the rear Juliet balcony are noted and the applicant has agreed to amend the plan to clarify that the area between the two projecting gable extensions at the rear of the site would be a non-accessible flat roof area. The proposed Juliet balcony is shown on the rear elevational drawing and this is considered sufficient to assess its impact. A condition is, however, suggested to ensure that further details of the balcony are submitted prior to its installation so that its precise

projection from the rear window can be adequately controlled if necessary. It is not considered that this balcony would be visually unacceptable and neither would it enable any greater view of adjoining properties than a simple window. Officers therefore raise no objection to this element of the scheme.

- 10.9 In summary, whilst the proposed extensions would increase the floor space of the original dwelling by over 150%, the majority of this floor space would be limited to the proposed first floor extension, sited above the ground floor of the existing dwelling. The footprint of the existing dwelling would be increased by a modest 50m², or 33%. In this case it is also important to consider that a 4 metre long single storey extension could be constructed to the rear of the original dwelling under Part 1, Class A 'permitted development' which would increase the footprint of the existing dwelling by 62m². It is considered that this 'fall-back position' constitutes a material consideration in the determination of the application.
- 10.10 Whilst the increased height of the property would undoubtedly result in a change to the visual appearance of the property, and would be more noticeable in the street scene, it is not considered that this impact would be a harmful one in terms of the character and appearance of the dwelling, or the open character of the surrounding Rural Area given the context of the site and the varying height of adjoining properties.

Neighbour Amenity

- 10.11 Turning to the impact on the nearest neighbouring properties, the comments and concerns raised by the neighbouring property to the east of the site, The Hive, and from the Parish Council have been noted. It is acknowledged that the proposed extensions would result in an appreciable change to the appearance of the application property when viewed from The Hive. However, the proposed development would retain a distance of 10 metres to the west flank wall of The Hive and it is noted that The Hive is set approximately 2 metres back from The Conifers. Having regard to these distances and the reduced depth of the proposed rear extensions, it is not considered that any impact on that adjacent property would be so significant as to warrant refusal of the application.
- 10.12 A boundary hedge, approximately 2 metres in height, bounds this common boundary and this would also help to mitigate the visual impact of the proposed rear extension. Two of the proposed first floor east flank windows would serve bathrooms and one of the windows would be a secondary window to a bedroom. Officers are satisfied that

a condition added to the grant of consent to ensure that these windows would be fitted with obscure glazing will ensure that the proposal would not result in a loss of privacy to the occupiers of the Hive. The Parish Council have raised concerns that the plans are not sufficient to assess the impact. However, although the block plan does not show neighbouring properties, Officers have been able to properly assess the impact of the proposal on site and are satisfied that the relationship between the two properties would be an acceptable one.

- 10.13 The proposed development would retain approximately 19 metres to the flank elevation of the neighbouring property to the west, a 2 storey dwellinghouse. Such a distance is considered to be sufficient for the proposal not to create an adverse impact upon neighbour amenity.

Parking

- 10.14 The proposed extensions and alterations would increase the number of bedrooms the property has from 3 to 5. Officers consider the level of off-street parking spaces provided on the front driveway of the site to be sufficient for the size of the resultant dwelling. No alterations to the access to the site are proposed.

Ecology

- 10.15 The proposal would include alterations to the roof of the main dwelling. An appropriate directive has been added to the grant of consent to ensure that if any bats are found during construction works, professional advice is sought.

11.0 Conclusion

- 11.1 Whilst the floor space 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 significant harm to the character and appearance of the site and the surrounding area, or on the amenities of the adjoining residential properties.
- 11.2 Officers do not consider the resultant size, scale and design of the development would detract from the openness of the surrounding Rural Area and, given that no harm has been identified in the neighbour amenity 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)
4. Obscured glazing (first floor east flank elevation)
5. Prior to the commencement of the approved first floor or roof extensions hereby permitted, details of the proposed Juliet balcony at the rear of the property shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the agreed details.

Reason: To ensure that the balcony is of an appropriate design and scale in the interests of the appearance of the proposal and the amenities of adjoining occupiers in accordance with policies ENV1 and ENV5 of the East Herts Local Plan Second Review April 2007.

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 amendments made to LPA reference 3/15/2432/HH is that permission should be granted.