

DEVELOPMENT MANAGEMENT COMMITTEE REPORT – 6 Dec 2017

Application Number	3/17/0411/HH
Proposal	Proposed first floor rear extension. Demolition of ancillary barn and proposed single storey side / rear extension on same footprint of former barn.
Location	Butlers Hall, Butlers Hall Lane, Thorley, Bishops Stortford, CM23 4BL
Applicant	Mr M Sharman, Butlers Hall, Butlers Hall Lane.
Parish	Thorley
Ward	Much Hadham

Date of Registration of Application	22 February 2017
Target Determination Date	19 April 2017
Reason for Committee Report	The application has been called in by a local member.
Case Officer	Antoine Commenville

RECOMMENDATION

That planning permission be **REFUSED** for the reasons set out at the end of this report.

1.0 Summary of Proposal and Main Issues

- 1.1 The application proposes the erection of a first floor rear extension, demolition of ancillary barn and proposed single storey side / rear extension on same footprint of former barn. It is noted that the proposed first floor rear extension would be 9.8 metres in depth whilst the existing dwellinghouse depth at first floor level is 7.5 metres.
- 1.2 The site lies within an area designated as Metropolitan Green Belt.
- 1.3 The main considerations for this planning application relate to the principle of the proposed development in the context of its location within the Green Belt: whether or not this proposal constitutes inappropriate development within the Green Belt. If the proposal is considered to be inappropriate development; whether or not there are any very special circumstances that would justify the proposal. In addition it is necessary to consider the impact on the character and appearance of the site and surroundings, impact upon the surrounding rural area and neighbour amenity impact.

2.0 Site Description

- 2.1 The application site contains an existing detached dwelling which is set at the end of Butler's Hall Lane within a good sized plot. The dwellinghouse is surrounded by agricultural fields to the west and north, is immediately adjacent to an agricultural building to the east and surrounded by a public footpath (Thorley 018) along the south and east sides. Properties on the south side of the road in this location are listed. The nearest property "Meadow Cottage" is located approximately 35 metres away
- 2.2 The property is set back from the road frontage by approximately 10 metres. When coming from the A1184, the dwellinghouse is screened by a row of tall conifers. The frontage of the dwellinghouse is partly screened with a boundary wall and fence. Existing external materials comprise white rendering to the main dwellinghouse and the rear projection, and timber weatherboarding to the barn and play room.
- 2.3 The existing dwelling's layout is irregular, resulting from a history of alterations and extensions. The 'original' buildings (that existing in 1948) seems to incorporate the main two storey hipped roof dwelling, the single storey rear element, the attached barn and the cart shed. The cart shed was later converted into a playroom ancillary to the dwelling and subsequently linked to the barn.
- 2.4 The building has recently been granted a certificate of immunity from listing from Historic England. This certificate confirms that the building has been reviewed by Historic England and will not be statutorily listed within the next 5 years

3.0 Planning History

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

Application Number	Proposal	Decision	Date
3/73/1355/FP	Conversion of the cart shed to a playroom ancillary to the dwelling	Approval	1973
3/82/1532/FP	Erection of covered way and replacement windows to playroom	Approval	1982

4.0 **Main Policy Issues**

4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF), the pre-submission East Herts District Plan 2016 (DP), the adopted East Herts Local Plan 2007 (LP).

Main Issue	NPPF	LP policy	DP policy
The appropriateness of the development in the Green Belt	87, 88 and 89	GBC1	GBR1
Impact on openness of the Green Belt and other harm	Section 9	GBC1	GBR1
Impact on the character and appearance of the site and surroundings	Section 7	ENV1, ENV5 and ENV6	DES3, HOU11
Setting of adjacent Listed Buildings	Section 12		HA1, HA7
Impact on neighbour amenity	Section 7	ENV1	DES3
Parking provision	Section 4	TR7	TRA3

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

5.0 **Summary of Consultee Responses**

5.1 HCC Highway Authority does not wish to restrict the grant of planning permission.

6.0 **Parish Council Representations**

6.1 No comment received.

7.0 **Summary of Other Representations**

7.1 Three representations from neighbouring properties have been received in support of the proposal.

8.0 Consideration of Issues

The appropriateness of the development in the Green Belt.

- 8.1 As the site lies within the Green Belt, the principle of development is assessed under policy GBC1 of the East Herts Local Plan Second Review April 2007. Under part (d) of this policy, 'limited' extensions to dwellings can be considered appropriate in the Green Belt. This policy principle is reiterated in the NPPF which states that the extension or alteration of a building may be considered appropriate in the Green Belt provided that it does not result in disproportionate additions over and above the size of the original building.
- 8.2 It is firstly necessary therefore to consider whether the extension proposed in this case can be said to constitute a 'limited' extension to the property such that it constitutes an appropriate form of development in the Green Belt.
- 8.3 Planning officers have, in this respect, reviewed the planning history and understand that consent was granted in 1973 for the conversion of the cart shed to a playroom ancillary to the dwelling (3/73/1355/FP), and this was linked to the barn in 1982 (3/82/1532/FP). Taking into account this link extension and the proportions of the proposed first floor rear extension it is considered that the cumulative extensions would result in an approximate increase of 17.5% of the floor area of the original dwelling. It is therefore acknowledged that the proposed extension would, by reason of the additional floorspace proposed, considered to be 'limited' when compared with the original size of the building.
- 8.4 However, floorspace increase is only one consideration of whether a proposal would result in the original dwelling appearing disproportionately larger. The application seeks permission for a first floor extension that would be approximately 9.8 metres deep. The existing two storey element of the property is approximately 7.5 metres deep, and the proposed first floor extension would therefore be greater in depth at first floor level than the existing dwelling. The proposed extension by reason of its depth and height (reaching a maximum height of approximately 7.4 metres) would result in substantial additional bulk and mass to the dwelling. As a consequence, it is concluded that the proposal would result in the original dwelling appearing disproportionately larger. The proposal therefore comprises inappropriate development in the Green Belt.

Impact on openness.

- 8.5 As indicated above, the depth of the first floor rear extension will be greater (9.8 metres) than the existing depth dwellinghouse (7.5 metres) and would therefore noticeably increase the bulk and built form of the dwelling and be disproportionate and harmful to the openness of the application site when viewed from the access to the front of the site and from the open undeveloped land to the side and rear.
- 8.6 In mitigation, it is noted that the replacement of the existing barn - which currently has approximately the same height as the existing two storey building - with a single storey structure will open-up some of the views of the application site.
- 8.7 It is also acknowledged that the first floor rear extension would be, to some extent, screened behind a row of conifers to the east. In addition, the existing dwellinghouse, the front wall and playroom hipped roof when approaching from the A1184 will screen views. A minimum distance of 45 metres would be retained between the first floor extension and the adjacent footpath.
- 8.8 Notwithstanding the above, the overarching consideration is that such works should 'not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development'. On this important point, the proposed development is considered to fail.

Impact on the character and appearance of the site and surroundings.

- 8.9 The first floor rear extension would be 2.3 metres deeper in comparison with the existing dwellinghouse. The design is subservient having a hipped roof and a lower ridge height than the original dwelling. This results in the form of the original dwelling being retained
- 8.10 The proposal is considered to be visually disproportionate to the character and appearance of the original dwelling by reason of the depth of the proposed extension.

Setting of adjacent Listed Buildings

- 8.11 Given the remaining distance between the proposal and nearby Listed Buildings and given the location of the extension to the rear of the building, it is considered that the proposed extension would not be harmful to the setting of the listed buildings to the front of the application site, and would not be harmful to their historical significance.

Impact on neighbour amenity.

- 8.12 Due to the detached nature of the subject building, the proportions of the proposed extensions and the relationship/distance between the application site and the neighbouring properties, it is not considered that the proposal would result in an unacceptable impact upon the amenities of neighbouring occupiers at Meadow Cottage, Kimbers Cottage and Firtrees in respect of any loss of light, privacy, outlook or overbearing impacts.

Parking provision

- 8.13 The proposal would increase the number of bedrooms from three to four. At least three off-road parking spaces would remain. This level of parking is commensurate with the size of the dwelling in accordance with policy TR7.

Other Matters – whether there are any ‘ very special circumstances’ to clearly outweigh any harm to the Green Belt

- 8.14 No other matters have been submitted by the applicant and neither have any been identified in the consideration of the proposals.

9.0 Planning Balance and Conclusion

- 9.1 It has been identified that the proposals represent a form of inappropriate development in the green belt. Additional harm has been caused as a result of the impact of the proposals on openness and on the character and appearance of the dwelling.
- 9.2 National and local policies require that substantial weight is given to harm to the green belt by virtue of inappropriate development.

- 9.3 No issues have been advanced by the applicant or otherwise identified which are considered to clearly outweigh the harm that is caused to the green belt. This is the test set out in national policy. As a result, it is considered that the proposals should not be supported.

RECOMMENDATION

That planning permission be **REFUSED** for the reasons set out below

Reasons for Refusal

- 1 The proposed first floor extension would significantly increase the massing of the built form of the existing building by reason of its depth and therefore represents inappropriate development in the Green Belt. It would also be harmful to the openness of the both the application site and the Green Belt when viewed from the surrounding area. No special circumstances have been identified which would clearly outweigh the harm identified. Accordingly the proposed development is contrary to Policies GBC1 and ENV5 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.

Summary of Reasons for Decision

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015, 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.

KEY DATA

Not appropriate to this application