

## DEVELOPMENT MANAGEMENT COMMITTEE – 20 JUNE 2018

<b>Application Number</b>	a) 3/18/0297/HH b) 3/18/0298/LBC
<b>Proposal</b>	a) Ground floor and basement extension to side and rear of existing dwelling following demolition of outbuildings and replacement of existing retaining wall; b) Ground floor and basement extension to side and rear of existing dwelling following demolition of outbuildings and replacement of existing retaining wall.
<b>Location</b>	Tollgate House, Amwell Hill, Great Amwell, Ware, SG12 9QZ
<b>Parish</b>	Great Amwell CP
<b>Ward</b>	Great Amwell

<b>Date of Registration of Application</b>	21 February 2018
<b>Target Determination Date</b>	18 April 2018
<b>Reason for Committee Report</b>	Applicant is a member of staff
<b>Case Officer</b>	Andrew Hunter

### **RECOMMENDATION**

- a) That planning permission be **REFUSED** for the reason set out at the end of this report.
- b) That listed building consent be **GRANTED** subject to the conditions set out at the end of this report.

### **1.0 Summary of Proposal and Main Issues**

- 1.1 The application seeks permission for a single storey side and rear extension with a pitched roof, an extension comprising a new basement to the south of the dwelling that would be linked to the extension, ground floor internal alterations, and the demolition of some existing outbuildings. Amendments have been made to the scheme during the course of the consideration of the application.

- 1.2 The proposal is considered inappropriate development in this Green Belt location by virtue of being disproportionate additions to the original building. It is not considered in this case that very special circumstances exist to justify granting planning permission.
- 1.3 Notwithstanding the inappropriateness and harm to the Green Belt the size, siting and detailed design of the development are considered sympathetic to the character and appearance of the site and locality, and would not be harmful to the significance and setting of the listed building.
- 1.4 There is adequate parking provision within the site. The development would not cause harmful impacts to neighbour amenity, and is acceptable in all other respects.

## **2.0 Site Description**

- 2.1 The site comprises a two storey Grade II Listed building which is used as a dwelling. The dwelling is within a generous plot and is sited on higher land within it on its east.
- 2.2 The character of the immediate locality is rural and wooded with a small number of dwellings nearby. Maturing trees and vegetation line the east boundary of the site with Amwell Hill. Two Grade II listed buildings are to the north-east and south-west.
- 2.3 The site is in the Metropolitan Green Belt.

## **3.0 Planning History**

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

Application Number	Proposal	Decision	Date
3/84/0506/FP	Two storey side extension and single storey front extension	Granted	23 <sup>rd</sup> August 1984
3/84/0505/LB	Two storey side extension and single storey front extension	Withdrawn	22 <sup>nd</sup> June 1984
3/75/0761	Double garage	Granted	12 <sup>th</sup> September 1972
3/69/0671	(Outline application) Erection of an extension to existing dwelling	Granted	16 <sup>th</sup> July 1969

#### 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). There is no Neighbourhood Plan prepared or in draft for this location.

<b>Main Issue</b>	<b>NPPF</b>	<b>Local Plan policy</b>	<b>Pre-submission District Plan</b>
Principle of the development	Section 9	GBC1	GBR1
Openness	Section 9	GBC1	GBR1
Size, design and external appearance including impact on heritage asset	Sections 7 and 12	ENV1, ENV5, ENV6	HOU11, DES3, HA1, HA7
Impact on residential amenity	Section 7	ENV1, ENV5, ENV6	HOU11, DES3
Parking	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 EHDC Conservation and Urban Design Advisor recommend approval for the extension to the dwelling and the internal alterations. They comment that the proposed basement would be substantial but harm would be mitigated to a degree by its below-ground location and more traditional openings, with details of the parapet over required. They note that the design of the openings would be improved by a more structurally correct lintol and quoin design.
- 5.2 Historic England did not wish to offer any comments.
- 5.3 Council for British Archaeology raised objections and concerns over the proposed plans prior to amendments being received stating that the proposed extension is overly large, not subservient with an unsympathetic design.

## **6.0 Town/Parish Council Representations**

- 6.1 Great Amwell Parish Council objects to the proposal. The Council state that the proposal is considered to be detrimental and harmful to the character and visual attractiveness of the building and should be refused. The Council expressed concern that works have been undertaken without planning permission.

## **7.0 Summary of Other Representations**

- 7.1 The application was advertised by way of a site notice, press notice and neighbour notification. No representations were received.

## **8.0 Consideration of Issues**

### Principle of development

- 8.1 The site lies within the Metropolitan Green Belt. In accordance with Local Plan Policy GBC1 and the NPPF, inappropriate development is by definition harmful to the Green Belt and should not be approved

except in very special circumstances. Very special circumstances will not exist unless it can be demonstrated that the harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations. Policy GBC1 states that limited extensions or alterations to existing dwellings in accordance with Policy ENV5 will not be inappropriate. This is not however in accordance with the NPPF at Paragraph 89 which refers to disproportionate additions over and above the size of the original building.

- 8.2 The existing main dwelling is of the size it was before 1948, which has a floor space of approximately 131 m<sup>2</sup>. Four outbuildings have been added to the site, which are considered to be additions to the original building with a combined floor space of approximately 72 m<sup>2</sup>. The retaining walls and hard landscaping west and south of the main dwelling were created in the 1960's and 1970's (although there are no planning records of these and their size and extent are unknown).
- 8.3 The application proposes an above ground extension to the dwelling and a below ground basement addition with openings facing west onto the garden. Three of the outbuildings, part of the garage approved by planning permission 3/75/0761 and an external covered storage/planting area would be removed as part of the proposal.
- 8.4 Taking the removed buildings/structures into account, it is first necessary to consider whether the works proposed comprise extensions or alterations that would result in disproportionate additions over and above the size of the original building.
- 8.5 The increase in floor space to the original building from the remaining part of the detached garage approved in 1975, the proposed above ground extension and the proposed basement would be approximately 300 m<sup>2</sup>. Given the original building as of 1948 had a floor space of 131 m<sup>2</sup>, the proposed additions are considered disproportionate and therefore inappropriate development in the Green Belt.

### Openness

- 8.6 The proposal has to be assessed whether it would result in any other harm and if this harm would be outweighed by other considerations. The above ground extension with the detached garage would add cumulatively 81 m<sup>2</sup> of new floor space, although 98 m<sup>2</sup> of buildings and structures within the site would be removed which would improve openness. The proposed basement would be within the existing raised garden and retaining walls to the rear of the building and would not be considered to result in loss of openness. The improvements to the openness of the Green Belt and the removal of multiple buildings/structures weigh in favour of the proposal.

### Size, design and heritage

- 8.7 The buildings/structures to be removed are not of historic or architectural merit therefore there are no objections to their removal. The covered storage area is of poor quality therefore its removal will be a benefit to the character and appearance of the site. Three of the buildings and the storage area are potentially unauthorised development as there are no records of them having been granted planning permission, therefore their removal is a benefit given positive weight.
- 8.8 The bathroom that is proposed to be altered internally is considered to be of little special interest therefore these alterations would not cause harm to the significance of the listed building as a heritage asset.
- 8.9 The above ground extension to the dwelling is considered to be of a size and scale that would be appropriately subordinate to the host building. This extension would have a simple pitched roof design with gable ends and detailing compatible with the character and appearance of the building, and would not cause harm to the significance of the listed building as a heritage asset.

- 8.10 The basement would be entirely within the existing raised rear garden, with the only visible elements being three new openings and a replacement parapet balustrade above. The openings are considered to be of designs sympathetic to the main listed building and the wider application site, and would be in a location that would not be harmful to the setting of the listed building. The proposal would allow for the replacement of the existing balustrade which is in a poor state of repair and is given positive weight. Details of the balustrade have not been provided, however these can be required by condition if permission was to be granted.
- 8.11 The proposed works would have limited to no visibility outside of the application site and would not affect the setting of listed buildings to the south-west and north-east. The benefits to the site from the removal of existing buildings/structures and the opportunity for a replacement balustrade weigh in favour of the proposal.

#### Residential amenity

- 8.12 The extension is small and remote from neighbouring dwellings. The basement openings would face an embankment opposite and would not cause loss of privacy. It is not considered neighbour amenity would be harmed, which is given neutral weight.

#### Parking

- 8.13 The proposal would result in four bedrooms within the dwelling. The site has parking provision for at least three cars, of which there are no objections. This is given neutral weight.

#### Other Matters – Very special circumstances

- 8.14 The applicant has submitted that there are very special circumstances (VSC's) to clearly outweigh the harm to the Green Belt by reason of the inappropriateness of the development. The VSC's that have been put forwards can be summarised as:

1. The size of the existing dwelling, and the need to extend it to create living accommodation to support a house on a plot of this size;
2. The need to maintain the heritage asset, including its viability.
3. To create an attractive living environment for future occupiers.
4. The removal of existing buildings.

8.15 The first and third points are not considered to be VSC's as the dwelling is habitable with a living environment that can be considered attractive due to the relationship of the dwelling within its large plot.

8.16 Regarding the second point no evidence has been put forwards demonstrating that the works are required for the maintenance and viability of the heritage asset. It is acknowledged that increasing the amount of living space could increase the marketability of the dwelling to families and wealthier purchasers, however as no detailed assessments of this have been carried out (such as surveyors, estate agents reports etc.) only very limited weight could be given to this.

8.17 The removal of existing buildings will be an improvement to the openness of the Green Belt and to the setting and significance of the listed building as set out above. This is given positive weight.

8.18 Further factors given positive weight are the removal of potentially unauthorised buildings, and the replacement of the existing balustrade that is in disrepair.

## **9.0 Planning Balance and Conclusion**

9.1 The proposal is a disproportionate addition to the original building and is inappropriate development in the Green Belt. No further harm is identified.

- 9.2 Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances (VSC's). Such VSC's will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The positive impacts are considered to result in small improvements to openness (the above ground extension is not significantly smaller than the buildings to be removed) and small benefits to the setting of the heritage asset. These are not considered to clearly outweigh the harm caused by inappropriateness.
- 9.3 Matters in relation to neighbour impacts and parking provision are acceptable.
- 9.4 It is therefore considered that planning permission be refused, and the listed building consent is recommended for approval subject to conditions.

### **RECOMMENDATION**

- a) That planning permission be **REFUSED** for the following reason:
1. The proposal would result in disproportionate additions over and above the size of the original building, and would thereby constitute inappropriate development in the Green Belt. The harm by inappropriateness is not clearly outweighed by other material planning considerations such as to constitute the very special circumstances necessary to permit inappropriate development in the Green Belt. The proposal is therefore contrary to Policies GBC1 and ENV1 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.

### **Informative:**

1. Justification Refusal (JR1)

b) That listed building consent be **GRANTED** subject to the following conditions:

1. LB three year time limit (1T14)
2. Samples of materials (2E12)
3. New windows (8L03)
4. New doors (8L04)
5. Making good (8L10)

**Informative:**

1. Justification LBC (LBJG1)