

5m 3/11/0186/FP – Rear conservatory to house and side extension to existing detached garage at High Meadow, Church End, Albury for Mr Clarkson

Date of Receipt: 08.04.2011

Type: Full – Other

Parish: ALBURY

Ward: LITTLE HADHAM

RECOMMENDATION

That, subject the applicant entering into a legal agreement requiring that the permission granted within LPA reference 3/08/1039/FP shall not be implemented

planning permission be **GRANTED** subject to the following conditions:-

1. Three year time limit (1T121)
2. Matching materials (2E123)
3. Approved plans (2E102) – 004PEL/D 1.00; 2.02; 1.01; 2.03; 2.01;

Directives

1. Other Legislation (01OL)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies GBC3, ENV1, ENV5 and BH1. The balance of the considerations having regard to those policies is that permission should be granted.

_____ (018611FP.MP)

1.0 Background

- 1.1 The application site is shown on the attached OS extract. It consists of a substantial detached dwelling of timber frame construction located on a large plot on the edge of the rural village of Albury.
- 1.2 The proposals involve the provision of a rear conservatory to the existing dwelling comprising of a floor area of 45 square metres and at a maximum height of 4.3metres. The proposed conservatory is set within the existing rear gable appendages to the building, projecting 3.2 metres from the rear building line.

3/11/0186/FP

- 1.3 The application also proposes an extension to the existing triple garage. The proposal involves the provision of an additional bay to the side of the garage increasing the width of the building by 3 metres. The proposed extension to the garage involves the provision of a similar design and materials to that as existing.
- 1.4 The application is being reported to the Development Control Committee as a legal agreement is required, which is explained in more detail below.

2.0 Site History

- 2.1 Planning permission was originally granted for the house (which is a replacement dwelling) within LPA reference 3/05/0933/FP. The property has not benefited from any further extensions, although an outbuilding to provide a swimming pool was granted within LPA reference 3/05/2233/FP.
- 2.2 Planning permission has also been granted for an extension to the garage within LPA reference 3/08/1039/FP. That permission has not however been implemented.

3.0 Consultation Responses

- 3.1 The County Archaeologist comments that the proposal is unlikely to impact upon significant heritage assets.

4.0 Parish Council Representations

- 4.1 No representation has been received from Albury Parish Council.

5.0 Other Representations

- 5.1 The application has been advertised by way of site notice and neighbour notification.
- 5.2 No letters of representation have been received.

6.0 Policy

- 6.1 The relevant 'saved' Local Plan policies in this application include the following:-
- GBC3 Appropriate Development in the Rural Area Beyond the Green Belt;

3/11/0186/FP

- ENV1 Design and Environmental Quality;
- ENV5 Extensions to Dwellings;
- ENV6 Extensions to Dwellings – criteria.

7.0 Considerations

7.1 The main planning considerations in respect of this application relate to the principle of development and the impact of the extensions on the character and appearance of the dwelling and rural area.

Principle of development

7.2 The property is sited within the Rural Area Beyond the Green Belt wherein there is a presumption against inappropriate development. There is however provision within Policy GBC3 of the East Herts Local Plan April 2007 for 'limited extensions or alterations to existing dwellings in accordance with Policy ENV5'. Policy ENV5 emphasises that permission will be granted for extensions provided that the character, appearance and amenities of the dwelling and any adjoining dwelling would not be substantially affected to their detriment. This Policy also explains that an extension to a dwelling or the erection of outbuildings will be expected to be of a scale and size that would either by itself or cumulatively with other extensions not disproportionately alter the size of the original dwelling nor intrude into the openness or rural qualities of the surrounding area.

7.3 The existing dwelling is a replacement dwelling which was granted permission originally within LPA reference 3/05/0933/FP. Taking into account the floor area of the dwelling approved in 2005 (which represents the original size of the dwelling), the proposed extensions in this application (involving the provision of a conservatory and garage extension) combined with the previously approved (and built) swimming pool building (granted within LPA reference 3/05/2233/FP), amounts to a floor area increase of approximately 48% from the original size of the dwelling. In Officers opinion, whilst the proposals are at the upper limit of what may be considered as a limited extension, they would appear to be acceptable and would, in principle, represent an appropriate form of development in the rural area.

7.4 However, the main considerations relate to the impact of the extensions on the character and appearance of the dwellinghouse and on the open rural character of the site and its surroundings.

Character and appearance

- 7.5 The existing dwelling is an attractive timber framed building with yellow/cream render with two significant gables running through the property. Those gables are the dominant features of the property from the north and south elevation. On the southern elevation one of the gables is fragmented with a lower roof ridge and eaves line. The existing building has not been extended previously, and as existing it appears as a well proportioned and balanced building. The conservatory extension as proposed will nestle in-between the two dominant gables and will project a minimal amount from the rear building line. The timber framed nature of the conservatory gives it a 'lightweight' appearance which, in combination with the proportions, form and design appears to create a subordinate extension which assimilates well with the character of the building. In this respect, the proposed conservatory will not, in Officers opinion, result in significant harm to the character or appearance of the dwelling, in accordance with policy ENV5 and ENV6 of the Local Plan.
- 7.6 Turning to the garage element of the application, this involves the provision of an extension to that building which follows the existing ridge, eaves and overall form and design of the building. Planning permission has previously been granted for a garage extension which, although not implemented, is a material consideration to which weight should, in Officers opinion, be attached. Officers note that the resultant building is more significant as a result of the proposed extension in terms of the width and mass of the garage. However, Officers do not consider that it is significantly harmful to the character of the existing building or the surroundings and so accords with policies ENV5 and ENV6 of the Local Plan.
- 7.7 Officers are however concerned that if the 2008 garage extension (ref: 3/08/1039/FP) were to be built in addition to this current proposed extension this would result in a much more substantial building, which would not, in Officers opinion, be sympathetic to the rural appearance of the site and would not represent a limited extension, contrary to policies GBC3 and ENV1 of the Local Plan.
- 7.8 Information submitted by the applicant sets out that the garage extension now proposed will 'supercede' the previous permission and the garage extension previously approved will not be implemented.
- 7.9 Whilst that information is acknowledged by Officers, it is considered that the most appropriate way for the Council to guarantee that the previously approved extension will not be implemented is the provision of a legal agreement which would set out that if permission is now granted for the extension to the garage within this application, the previous permissions in

3/11/0186/FP

LPA reference 3/08/1039/FP will not be implemented. This would ensure that the extension to the garage as now proposed is the only garage extension implemented. The applicant has confirmed that they are amenable to this.

Other matters

- 7.10 In terms of neighbour amenity considerations, the property is located on a corner plot and is remote from neighbouring properties. Accordingly, Officers do not consider that the proposal will result in significant harm to the amenity of any neighbouring properties.
- 7.11 The comments from the County Archaeologist are noted. Officers do not consider that the proposal will result in significant harm to archaeological remains, in accordance with the requirements of BH1 of the Local Plan.

8.0 Conclusion

- 8.1 Having regard to the above considerations, Officers are of the opinion that the proposed extensions to the dwelling will not result in significant harm to the character or appearance of the dwelling or surrounding rural area.
- 8.2 The proposed extension to the garage is similarly considered to be acceptable and will not, in Officers view, result in significant harm to the garage building or surrounding rural area. However, Officers are mindful that the extension now proposed in combination with previously approved extensions to the garage not implemented (but capable of being implemented) will harm the character of the building and the surrounding rural area. A legal agreement is recommended by Officers to ensure that a previous permission for an extension to the garage is not implemented, thus avoiding such harm.
- 8.3 For the reasons set out above and, subject to the applicant entering into a legal agreement, Officers therefore recommend that planning permission is granted.