

**3/11/1295/FP - Side and rear extensions and demolition of existing detached garage at The Kennels, Fanhams Hall Road, SG12 7QA for Mr A Smith**

---

**Date of Receipt:** 19.07.2011

**Type:** Full – Other

**Parish:** WARESIDE

**Ward:** HUNSDON

**RECOMMENDATION**

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

1. Three Year Time Limit (1T121)
2. Approved Plans (2E102) (Plan references: 10408-S001; 10408S002; 10408-003-B; 10408-004-E; 10408-P005-A)

**Directives**

1. Groundwater protection zone (28GP1) (Insert 'Thundridge')

**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 GBC1, ENV1, ENV5 and ENV6. The balance of the considerations having regard to those policies is that permission should be granted.

\_\_\_\_\_ (129511FP.SE)

**1.0 Background**

- 1.1 The application site is shown on the attached OS extract, and is located to the north-east of the settlement of Ware.
- 1.2 This proposal is for side and rear extensions to the above dwelling, together with the demolition of the existing detached garage. The proposed rear extension is to measure 4 metres in depth, 6.8 metres in width, and eaves and ridge heights matching those of the existing dwelling. The proposed side extension has a maximum width of 6.3 metres, a depth of 12 metres, and has an eave height to match that of the existing dwelling. The ridge height of the extension is below the ridge of the existing dwelling and the front elevation of the extension is proposed to be stepped-in from the

## **3/11/1295/FP**

existing front elevation of the dwelling.

- 1.3 The dwelling is not listed or within a Conservation Area, but is one of particular character. The above dwelling gained consent for its conversion from stag-hound kennels (together with the erection of the garage) in 1980, under LPA ref: 3/80/0660/FP. The conversion resulted in a dwelling of simple form, and of a size and scale that respects its rural setting and its original use ancillary to that of Home Farm.
- 1.4 The site is located within the Metropolitan Green Belt.

### **2.0 Site History**

2.1 The site has the following planning history:

- 3/80/0660/FP – Change of use from stag-hound kennels to dwelling and garage (Approved)

### **3.0 Consultation Responses**

3.1 Veolia Water has commented that the site is located within the groundwater Source Protection Zone (SPZ) of the Thundridge pumping station, which is a public water supply and comprises of a number of chalk boreholes operated by Veolia Water Limited. They therefore comment that “the construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. They state that it should be noted that the construction works may exacerbate any existing pollution and if any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken”.

### **4.0 Parish Council Representations**

4.1 Wareside Parish Council were consulted on the applications and no response had been received at the time of writing the report.

### **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:-

GBC1	Green Belt
ENV1	Design and Environmental Quality
ENV5	Extensions to Dwellings
ENV6	Extensions to Dwellings – Criteria

## **7.0 Considerations**

### **Principle of development**

- 7.1 Policy GBC1 of the Local Plan outlines that limited extensions or alterations to existing dwellings in accordance with Policy ENV5 are an acceptable form of development within the Green Belt. Policy ENV5 of the Local Plan states that extensions to a dwelling 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. Having regard to this policy Officers have calculated that the increase in floor area proposed by this application, above that of the original dwelling, would be approximately 87%. Such an increase cannot be considered as 'limited' and it is therefore necessary to consider whether very special circumstances exist in this case to warrant a departure from policy.
- 7.2 The submitted Design and Access Statement (DAS) sets out special circumstances which the applicant considers allows for this proposal to be considered as a departure from policy. Firstly, the applicant states that the property benefits from unexpended permitted development rights and these rights could be used to construct significant extensions to the property.
- 7.3 The ability of householders to extend their property using permitted development is a material consideration in the determination of planning applications. The 'fall back' position is however only capable of being a material consideration if what would be built under permitted development would have a broadly similar or worse impact to what is proposed and there is a reasonable probability that the permitted development option would be pursued if the preferred proposal were refused. With regard to the allowances of Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), Officers agree that the above dwelling could be extended to both sides and to the rear under permitted development. It is also noted that the restrictions outlined in Class

### 3/11/1295/FP

A, such as the maximum height of 4 metres, would possibly not allow for the architectural features of this dwelling to be preserved or enhanced if extensions under permitted development were to be undertaken.

- 7.4 The applicant also considers that the proposed demolition of the existing garage, which they state in the DAS as being large and prominent, would assist in improving the openness of the site. Although the garage is large, it has sat comfortably on this site since its approval in 1980 (LPA reference: 3/80/0660/FP). Officers therefore do not consider the removal of this garage alone is sufficient to warrant a departure from the Local Plan with regard to appropriate development within the Green Belt.
- 7.5 Whilst it is necessary to consider the special circumstances put forward by the applicant, regard should also be had to the impact of the proposed development on the character, appearance and openness of the Green Belt. The existing property is a modest sized dwelling which is located within a spacious site and is well assimilated within the landscape. The proposed extensions would allow the property to be reconfigured internally and would provide an enlarged kitchen and increase the number of bedrooms from 2 to 3. Regard should be had to the size of the existing dwelling which has a floor space of some 114 square metres. Therefore, whilst the proposed extensions would represent a disproportionate increase in the size of the dwelling, this is somewhat due to the size of the original dwelling, and the extensions proposed do not seek to excessively enlarge the accommodation provided within the dwelling.
- 7.6 The proposed extensions have been designed to reflect the character and appearance of the existing dwelling, and the resultant building would remain as a single storey property and therefore retain its low key appearance within the surrounding landscape. Having regard therefore to the above considerations, it is considered that the proposal would not be detrimental to the character, appearance or openness of the Green Belt in this location.
- 7.7 Taking into account the limited harm to the Green Belt from the proposed development and the special circumstances put forward by the applicant, Officers consider that special circumstances exist in this case to allow a departure from policy.

#### **Amenity consideration**

- 7.8 Having regard to the open rural setting of this dwelling, the distance to the nearest neighbouring dwellings, and the single storey form of the extensions, Officers consider that this proposal will not result in harmful amenity issues. This proposal is therefore in accordance with the amenity considerations of policy ENV1 of the Local Plan.

**Parking considerations**

7.9 Whilst this proposal will increase the accommodation from two to three bedrooms, there is sufficient parking provision on this site to be in accordance with policy TR7 and Appendix II of the Local Plan.

**8.0 Conclusion**

8.1 In summary, it is considered that special circumstances exist in this case to outweigh the harm, by reason of inappropriateness within the Green Belt, and any other harm, and it is therefore recommended that planning permission is granted.