

3/11/1369/FP - Re-division of existing dwelling to form 2no. 2 bedroomed dwellings with two storey side and rear extensions and porches to front and associated parking provision at Primrose Cottage, Slough Road, Allens Green, Sawbridgeworth, Herts, CM21 0LR for Mr D Spinks

Date of Receipt: 02.08.11

Type: Full – Minor

Parish: HIGH WYCH

Ward: MUCH HADHAM

RECOMMENDATION

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

1. Three Year Time Limit (1T12)
2. Approved Plans (2E10) [Include plan references 1904/3; 1904/5; DS/PRIM/E01; DS/PRIM/E02; DS/PRIM/P03; DS/PRIM/P04; and DS/PRIM/P07]
3. Samples of materials (2E12)
4. Hard surfacing (3V21)
5. Prior to the commencement of the development hereby permitted, a revised drawing (ref. 1904/5) to show the proposed ground floor plan, detailing the removal of the garage door and insertion of a casement window, shall be submitted to and approved in writing by the local planning authority.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with accurate plans/drawings.

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, ENV6 and TR7. The balance of the considerations having regard to those policies, application ref: 3/90/0558/FP and the limited impact of the proposal on the character and appearance of the rural area is that permission should be granted.

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1.0 Background

- 1.1 The application site is shown on the attached OS extract. Primrose Cottage is an existing two storey end-of-terrace dwelling located within the settlement of Allens Green. The dwelling is of a uniform appearance sharing the common gabled appearance with the rest of the block of terraced units. The front elevation of the row of terraced dwellings has uniform first floor window detail, but the ground floor has porches of a mixture of size and form. The rear elevation of number 3 Blacks Cottages (neighbouring the application site) has a double and single storey rear extension. It would appear from a search of the planning history of the site, that Primrose Cottage was formerly two properties known as nos. 1 and 2 Blacks Cottage, and that at some point they were converted into one property. This application therefore seeks to reinstate the property back to the two dwellings that it was previously.
- 1.2 The existing dwellings are sited on a parallel alignment to Slough Road, with the application site fronting a junction in the road. To the north of the dwelling is the grade II listed St Anne's Church, and to the east is the grade II listed Hoppetts. Apart from a long rear garden measuring an estimated 70 metres, the rear of this dwelling backs onto an open rural landscape. There is a public right of way that runs south adjacent to the site allowing for the rear of the dwelling to be open to a public view point.
- 1.3 This application seeks permission for the re-division of the existing dwelling to 2 no. 2 bedroom dwellings with two storey side and rear extensions and porches to front. The application is essentially a resubmission of LPA reference 3/90/0558/FP which was granted for the re-division of the existing dwellinghouse to form two, two bedroom cottages in 1990. This approval also included a two storey rear extension measuring an estimated 3 metres in width, and with eave and apex heights matching those of the original dwelling. An application in 1989 (ref. 3/89/1470/FP) granted permission for a two-storey side extension to the property and a single storey front extension.
- 1.4 The site is located within the Rural Area Beyond the Metropolitan Green Belt as designated within the Local Plan.

2.0 Site History

- 2.1 The site has been the subject of the following applications;
- In 1989 (3/89/1470/FP) an application was approved for a two storey side extension to this dwelling: together with a single storey rear extension and a porch.

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- In 1990 (3/90/0558/FP) planning permission was granted for the re-division of existing dwellinghouse to form 2 no two bedroom cottages. This approval also included a two storey rear extension and a porch.

2.2 It should also be noted that planning permission was granted in 1982 for the division of the dwelling known as Craeg Lea to three cottages (Ref. 3/82/1121/FP). These properties are now known as 1-3 Craig Lea and are attached to no. 3 Blacks Cottage which is the property attached to the west of the application site.

3.0 Consultation Responses

3.1 County Highways does not wish to restrict the grant of permission subject to conditions relating to the completion of access and junction arrangements. County Highways comment that this application for subdivision of a single dwelling back into two dwellings will not have a significant impact upon highway safety or capacity. The scheme has had the benefit of a similar permission. Traffic generation is unlikely to change significantly and adequate parking is indicated.

3.2 Environmental Health recommends consent subject to conditions relating to noise, air quality, contaminated land, and refuse disposal facilities.

4.0 Parish Council Representations

4.1 High Wych Parish Council has no objections to this application.

5.0 Other Representations

5.1 The application has been advertised by way of site notice and neighbour notification.

5.2 6 letters of representation have been received which can be summarised as follows:-

- Insufficient parking spaces
- Concern about increase in traffic generation and impact on highway safety due to location of site on blind bend;
- Proximity of proposed extension would restrict access to maintain flank wall of extension at 3 Black Cottages, and would result in damp occurring between the properties;
- Concern about transfer of noise between properties;
- Loss of privacy and light to the rear of No.3 Black Cottages;
- Who will the new properties be occupied by?

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
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV5	Extensions to dwellings
ENV6	Extensions to dwellings – criteria.
TR7	Car Parking – Standards

7.0 Considerations

7.1 With regard to policy GBC3 of the Local Plan, the development of a new unit of accommodation within the Rural Area would constitute inappropriate development. Whilst there is a policy objection to such a proposal, regard must be had to the planning history of this site, in particular LPA reference: 3/90/0558/FP, which is a planning approval for the re-division of existing dwellinghouse to form 2 no two bedroom cottages, and which also included a two storey rear extension and a porch. This current application is a resubmission of this 1990 approval.

7.2 Furthermore, whilst the principle of development is contrary to the wording of policy GBC3 of the Local Plan, consideration should also be given to the impact of the proposed development on the openness and rural qualities of the surrounding area and whether the size, scale, siting and design of the proposed extensions will harm the character and appearance of the surrounding Rural Area.

Size, scale, siting and design

7.3 As previously described, the application site is located within the Rural Area Beyond the Metropolitan Green Belt (Policy GBC3) wherein limited extensions or alterations to existing dwellings are considered appropriate development in accordance with policy ENV5 of the Local Plan. Policy ENV5 states that in such settlements extensions are 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.

7.4 The proposed extensions would represent an approximate 52% increase in floor area over that of the original dwelling (Primrose Cottage). Officers consider this level of increase as limited and would accord with policy

ENV5. Furthermore, in considering the acceptability of the proposal, regard should be had to the constructed extensions to the neighbouring dwelling (3 Blacks Cottages) and the permission granted for the extensions and subdivision of this dwelling approved in 1990 (under LPA ref: 3/90/0558/FP), and extensions in 1989 (ref. 3/89/1470/FP). Having regard to the above considerations, it is considered that the cumulative size, scale and massing of the proposed extensions cannot be considered excessive, and would not harm the character and appearance of these dwellings and their open rural setting. The proposed extensions would sit comfortably in their setting, and would adhere to the simple design features of this rural dwelling, and that of the surrounding built form.

- 7.5 Turning now to the subdivision of the property, regard should be had to the impact such a subdivision would have on the character and appearance of the area. Visually, there would be very limited changes to the appearance of the dwelling (notwithstanding the proposed extensions) or the site. The subdivision would result in a separate curtilage being created to the rear of the properties, but this would be enclosed by the existing curtilage of Primrose Cottage. The proposed development would also require some hardsurfacing to the front of the property to provide 2 parking spaces. Whilst it is acknowledged that the provision of the proposed car parking spaces would result in a change to the character and appearance of the front of the site, it would not result in a dissimilar appearance to the front of other properties within this terrace.
- 7.6 For the above reasons it is therefore recommended that, although this proposal is considered contrary to the wording of policy GBC3 of the Local Plan, the proposed development would not be harmful to the open rural character of the surrounding area. Having regard to the limited impact of the proposed development on the character and appearance of the rural areas, and that permission has previously been granted for the proposed development, it is considered that special circumstances exist in this case to warrant a departure from policy.

Neighbour amenity

- 7.7 In terms of the impact on neighbour amenity, taking into account the nature of the proposal in relation to neighbouring properties, Officers do not consider that there will be a significant impact on neighbour amenity such as to warrant the refusal of the application.
- 7.8 Officers have taken into consideration the concerns raised by the occupants of the adjoining dwelling, number 3 Black Cottages. Although it is acknowledged that the first floor window of the two storey rear extension will result in an element of overlooking to the neighbouring garden area, it is not

considered to result in such a degree of overlooking that would warrant refusal of the application. Furthermore, it should also be noted that the resultant relationship is not dissimilar to the relationship that currently exists between 3 Blacks Cottages and 1 Craig Lea.

Parking provision

- 7.9 As outlined above, the proposal cumulatively involves the creation of two, two-bedroom dwellings which, in accordance with the requirements of policy TR7 will require a maximum of 3 spaces to be provided (1.5 per dwelling). The application proposes 4 spaces in total. Although this exceeds the maximum requirement of the aforementioned policy, given the sites rural location, such a level of parking is considered to be acceptable.
- 7.10 Officers have taken into consideration the objections raised by the occupants of neighbouring dwellings with regard to parking provision, and concerns with regard to road safety. As stated above the parking provision exceeds the standard as set in the Local Plan, and the consultation response from County Highways recommended that the proposal would not have a significant impact upon highway safety or capacity. For these reasons, this proposal is considered to meet both parking and highway safety standards.

Conditions

- 7.11 It is noted that Environmental Health recommend a number of conditions. Having regard to the advice in Circular 11/95 and the specific nature of the proposed development, those recommended conditions are not considered to be necessary in this case.
- 7.12 Having regard however to the comments of County Highways it is considered necessary to attach a condition in relation to the proposed hardstanding, in the interests of the appearance of the site to allow the Council to assess the materials used for the hardstanding.

8.0 Conclusions

- 8.1 Whilst the proposal is, in this instance, considered to be a departure from the Local Plan, taking into account the above considerations and the nature of the development, there is not considered to be a significantly detrimental impact on the character and appearance of the building, street scene or locality nor is it considered to have a significant impact on neighbour amenity. For the reasons outlined above and taking into account the permissions granted in 1989 and 1990 it is recommended that special circumstances exist in this case to warrant a departure from policy and therefore that planning permission should be granted.