

PLANNING COMMITTEE - 19 April 2018

PART I - DELEGATED

5. **18/0191/FUL - Construction of part single, part two storey rear extensions, insertion of rooflights, alterations to fenestration and internal alterations at NORTH END, THE GREEN, SARRATT, WD3 6BR for Mrs Kim Foxell (DCES)**

Parish: Sarratt Parish Council
Expiry of Statutory Period: 27 March 2018

Ward: Chorleywood North and Sarratt
Case Officer: Katy Brackenboro

Recommendation: That Planning Permission be refused.

Reason for consideration by the Committee: Called-in by Parish Council if Officers minded to Refuse.

1. **Relevant Planning History**

- 1.1 11/0962/FUL - Two storey and part single storey rear extension to rear of property, pitched roof over garage with solar panels to rear and replacement of existing doors and windows. Refused 07.07.2011 for the following reasons:

1. The proposal, by reason of its scale, mass, proportion and increased prominence relative to the original dwelling would result in inappropriate development which would be excessively prominent and obtrusive to the detriment of the openness of the Metropolitan Green Belt. No very special circumstances have been demonstrated to overcome the harm that the proposed development would have on the visual amenities of the Metropolitan Green Belt. The development is therefore contrary to Policies GB1 and GB6 of the Three Rivers Local Plan 1996 – 2011, Policy CP11 of the emerging Local Development Framework Core Strategy (Submission Version February 2011), the Council's adopted SPG: Extensions to dwellings in the Green Belt and Government Guidance contained in PPG2.

2. The Local Planning Authority is aware that the application site supports the presence of protected species. The applicant has failed to demonstrate if the proposed development would have an adverse impact on protected species. The application fails to comply with Policies N1 and N3 of the Three Rivers Local Plan 1996 – 2011 and Policy CP1 of the emerging Local Development Framework Core Strategy (Submission Version February 2011).

- 1.2 W/1767/64 - Outline application for house or bungalow, garage. 28.10.1964. Permitted. Implemented.
- 1.3 W/213/65 house or garage. Permitted. 23.03.1965. Implemented.

2. **Description of Application Site**

- 2.1 The application site is located on the east side of The Green, Sarratt. The application dwelling is accessed directly from The Green and is partially screened from view from The Green by mature trees to the frontage of the application site.
- 2.2 The site is located within the Metropolitan Green Belt and The Green, Sarratt Conservation Area.
- 2.3 The application dwelling is a single storey detached dwelling with first floor accommodation facilitated by dormer windows. There is an integral flat roofed garage to

the southern flank of the dwelling. The dwelling is finished in red brick with a dark tiled pitched roof. It has a front gable projection with two front dormers. To the rear roofslope are three dormers and one rear rooflight.

- 2.4 To the rear of the application site is a patio leading to an area laid as lawn. The rear boundary treatment is marked by approximately 1.3m high hedging and vegetation.
- 2.5 To the front of the dwelling is an area laid to lawn and a driveway with provision for three car parking spaces leading to a flat roofed integral garage which has provision for one car parking space.
- 2.6 The neighbour to the north (High Rising) is a detached red brick twentieth century bungalow with a contemporary glazed ground floor extension to the flank adjacent to the common boundary with the application dwelling. It is set back from the application dwelling. Mature trees and approximately 0.5m high fencing mark the common boundary.
- 2.7 To the south of the site is a small plot of land comprising of garages and a driveway providing access to these garages. Beyond this is the neighbouring property to the south (1 Wheatsheaf Cottages). The common boundary is marked by a close boarded fence approximately 1.5m high and vegetation.

3. Description of Proposed Development

- 3.1 Planning permission is sought for the construction of part single, part two storey rear extensions, insertion of rooflights, alterations to fenestration and internal alterations.
- 3.2 The proposed rear extension would form an asymmetric pitch to the rear and a pair of smaller gabled roofs. The proposed asymmetric pitch would have a varying eaves height of which the maximum height would be 3.6m. The proposed pair of rear gables would have a maximum height of 7.9m and a height to the eaves of 5.9m.
- 3.3 The single storey element of the rear extension would project 5m from the rear elevation of the application dwelling and hold a width of 7.1m. The proposed rear extension would have an overall depth of 11m, projecting deeper than the existing ground floor rear elevation. The proposed rear extension would create a larger kitchen and dining area.
- 3.4 The first floor element of the proposed rear extension would have an L-shape. It would be constructed over the proposed single storey rear extension and extend to the west with a maximum width of 11.5m and project beyond the existing first floor rear elevation by 5m. This would create an additional bedroom and extend the two existing bedrooms at first floor level.
- 3.5 Two rooflights would be inserted into the proposed rear gables. The existing roof ridge would not be increased. One rooflight would be inserted into the roofslope of the proposed single storey rear element and bi-fold doors would be inserted into the southern flank at ground floor level. A rooflight would be inserted into the principle elevation of the existing roof.
- 3.6 Fenestration would be inserted into the rear elevation of the proposed extensions at ground floor level and at first floor level to serve the additional bedroom.
- 3.7 The existing garage would be converted into a playroom, bathroom and store however the existing footprint would remain the same. The existing garage doors would be replaced with timber panelled doors. The rear elevation of the converted garage would contain one window and a door to serve the bathroom and playroom at ground floor level.

3.8 Submitted plans indicate that proposed fenestration would match that of the existing dwelling.

4. Consultation

4.1 Statutory Consultation

4.1.1 Sarratt Parish Council: [No objection to proposal]

The Parish Council strongly support this application on the grounds that the extension to the rear will cause minimal harm to the Green Belt. If the Officer is minded to refuse the application it be called into the Committee. The Committee would like a condition imposed that all construction traffic to be kept to the curtilage of the property and that no vehicles to be parked on The Green or on the access way to the property.

4.1.2 Herts and Middlesex Wildlife Trust: [No objection subject to conditions]

The ecological survey is adequate and puts forward acceptable compensation measures, which have been marked on the plans. If all other measures are acceptable, a condition shall be added to any planning permission if granted to safeguard any bats.

4.1.3 Herts Archaeology: [No objection]

In this instance we consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest, and we have no comment to make upon the proposal.

4.1.4 National Grid: No comments received.

4.1.5 Conservation Officer: [No objection]

The proposal is situated within the Sarratt Green Conservation Area. I consider that the impact of this proposal on the Conservation Area will be low as it will not be widely seen and North End is of low significance. I would not therefore object from this point of view. The materials will be matching.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 4 No responses received: 1

4.2.2 Site Notice: Posted 20 February 2018 and expired 13 March 2018.
Press notice: Published 09 February and expired 02 March 2018.

4.2.3 Summary of Responses:

- No objection to the proposal. Concerns raised due to parking during building works.

5. Reason for Delay

5.1 Committee cycle.

6. Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

On 27 March 2012, the framework of government guidance in the form of Planning Policy Statements and Planning Policy Guidance Notes was replaced by the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

6.2 The Three Rivers Local Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP9, CP10, CP11 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM2, DM3, DM6, DM13 and Appendices 2 and 5.

6.3 Other

Supplementary Planning Guidance No 3 – Extensions to Dwellings in the Green Belt (August 2003).

The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

The Green, Sarratt Conservation Area Appraisal adopted March 1994.

The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

7. **Planning Analysis**

7.1 Green Belt

- 7.1.1 Green Belt Calculations:
Original floor space - 160sqm
Floor space of existing dwelling - 160sqm
Floor space of proposed extensions - 81sqm

- 7.1.2 The proposed dwelling as extended would have a total floor area of approximately 241 square metres, equivalent to a 51% increase over the original dwelling.
- 7.1.3 The application site is located within the Metropolitan Green Belt. The NPPF states at paragraph 79 that;
"The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence".
- 7.1.4 Paragraph 87 of the National Planning Policy Framework states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 requires that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.
- 7.1.5 Paragraph 89 of the National Planning Policy Framework advises that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include the extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original dwelling. Policy CP11 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD (adopted July 2013) reflects the guidance in the NPPF. Policy DM2 states that:

"Extensions to buildings in the Green Belt that are disproportionate in size (individually or cumulatively) to the original building will not be permitted. The building's proximity and relationship to other buildings and whether it is already, or would become, prominent in the setting and whether it preserves the openness of the Green Belt will be taken into account".
- 7.1.6 More specific guidance is provided in Supplementary Planning Guidance No.3, Extensions to Dwellings in the Green Belt. The SPG provided further explanation of the interpretation of the Green Belt policies of the Three Rivers Local Plan 1996-2011. These policies have now been superseded by Policy DM2. Nevertheless, the SPG provides useful guidance and paragraph 4.5 of the Development Management Policies LDD (adopted July 2013) advises that the guidance will be taken into account in the consideration of householder developments in the Green Belt until it is incorporated into the forthcoming Design Supplementary Planning Document. As the NPPF or the Local Plan Policies do not give any clear guidance on the interpretation of the scale of extensions that would be disproportionate, the SPG, whilst of limited weight, does give useful guidance and states that extensions resulting in a cumulative increase in floor space of over 40% compared with the original dwelling may be disproportionate.
- 7.1.7 Extensions to the floor area of the dwelling are proposed in the form of part-single, part two storey rear extensions. The original dwelling is understood to have had a floor area of approximately 160 square metres from calculations undertaken. There have been no previous extensions undertaken. The total floor area of the proposed extensions is 81 square metres which would result in the dwelling having a floor area of 241 square metres as extended. The proposed extensions would result in a 51% increase compared to the original dwelling. The extension would represent a significant increase in floor area and would therefore be considered disproportionate to the original dwelling.
- 7.1.8 The proposed extension would result in a cumulative increase of approximately 51% over the original floor space. Therefore, the proposed extension would significantly exceed the guidance figure of 40% that is considered to be acceptable within the Metropolitan Green Belt and is considered to be disproportionate to the original dwellinghouse. In addition to harm by virtue of inappropriateness it is necessary to consider whether there would be

any actual harm to the visual amenity and openness of the Green Belt. The proposed extension would have a depth of 5m and a width of 6.4m. The width of the original dwellinghouse is approximately 8.2m and has a depth of 8.4m. Therefore the proposed width and depth of the extension would also be disproportionate to the original dwellinghouse. Based on the increase in floor space, the proposed extensions would constitute as an inappropriate form of development within the Green Belt, and would be harmful by definition. It would also result in spread of development across the site and towards more open land in addition to the proposed built form which would be harmful to the openness of the Green Belt by virtue of its mass and bulk and design incorporating rear gables.

- 7.1.9 The table below shows the differences between the previously refused planning application 11/0962/FUL and the current application.

	11/0962/FUL	Current application
GB % increase	49.2	51
Roof height	7.4m	Asymmetric pitch maximum height of 3.6m and rear gables with a maximum height of 7.9m.

The 7.4m high roof proposed under the previous planning application (11/0962/FUL) was deemed indicative of the disproportionately large scale of the proposed extension relative to the existing dwelling. The maximum height of the rear gables at 7.9m and the asymmetric pitch at 3.6m of the current application are indicative of the disproportionate nature of the proposed extensions of this application relative to the original existing dwelling. Furthermore, there is actual harm arising to the Green Belt from the proposed extensions of the property due to the 51% increase in floor space over the original floor space which is greater than the 49.2% increase previously refused.

- 7.1.10 Paragraph 88 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. It is not considered that any very special circumstances exist that would outweigh the harm the proposed outbuilding would have on the Green Belt by virtue of its inappropriateness and actual harm.
- 7.1.11 The proposal would constitute inappropriate development which is, by definition, harmful to the Green Belt and the development would result in an adverse impact to the openness of the Green Belt. It is not considered that any 'very special circumstances' exist to outweigh the harm identified to the Green Belt. Consequently, the proposal is contrary to Policies CP1 and CP11 of the Core Strategy, Policy DM2 of the Development Management Policies LDD and the NPPF.

7.2 Impact on Character and Appearance of Street Scene and Conservation Area

- 7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or

enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.

- 7.2.2 Policy DM1 and Appendix 2 of the Development Management Policies LDD (DMP LDD) (adopted July 2013) set out that development should not have a significant impact on the visual amenities of the area. Extensions should not be excessively prominent and should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows, doors, and materials. The Design Criteria within Appendix 2 states that generally the maximum depth of single storey rear extensions to detached dwellings should not exceed 4m. It is noted the proposed rear extensions would hold a maximum depth of 5m and therefore would not comply with Appendix 2 of The Design Criteria.
- 7.2.3 The application dwelling is located within The Green, Sarratt Conservation Area. Policy DM3 of the Development Management Policies document (adopted July 2013) states that development within Conservation Areas will only be permitted if the proposal is of a design and scale that preserves or enhances the character or appearance of the area and uses building materials, finished, including those for features such as walls, railings, gates and hard surfacing, that are appropriate to the local context.
- 7.2.4 The extension would be located to the rear of the dwelling. Whilst there would be limited opportunity for views of the two storey rear extension from the street scene as the extensions would be located to the rear of the dwelling, the overall depth of the proposed rear extension would be 8.2m which would significantly increase the bulk and massing of the existing application dwelling, however, the existing ridge height would not be increased and the increase in bulk and massing would not result harm to the character or appearance of the host dwelling.
- 7.2.5 The proposed rear asymmetric pitch and pair of rear dormers are not visible from public vantage points within the Conservation Area and are not objected to. Whilst the variations in roof form to the rear would result in a somewhat cluttered appearance, the Conservation Officer has not objected and does not consider that the proposed alterations and extensions would be harmful to the character and appearance of the Conservation Area as to justify refusal of planning permission. There would be no demonstrable harm to the heritage asset.
- 7.2.6 The proposed replacement window would match the existing windows within the front elevation and the front door would be in keeping with the character of the dwelling. Given the positioning and style of the front door, and that the replacement window would match the existing. It is not considered that the proposed replacement windows would appear unduly prominent or incongruous within the street scene and would not adversely affect the original character and appearance of the host dwelling and wider Conservation Area. The Conservation Officer confirms that the proposals are acceptable and in keeping with the character of the Conservation Area and in accordance with Policy DM3 of the Development Management Policies.
- 7.2.7 Alterations to the elevations of the application dwelling are included in the proposal. The proposed rooflight within the southern flank of the proposed single storey rear extension would be set approximately 11m away from the boundary with the land to the south of the site therefore it would not be unduly prominent.
- 7.2.8 Whilst the rooflight within the principle elevation would overlook the Green it would be set in the roofslope and therefore not cause demonstrable harm to the character and appearance of the dwelling or street scene. The proposed timber panelled doors replacing the existing garage doors would not significantly alter the appearance of the application dwelling or cause demonstrable harm to the character and appearance of the dwelling or street scene.

7.2.9 In summary, notwithstanding the objection on Green Belt grounds set out above, it is not considered that the development would result in any significant adverse impact to the visual amenities or character or appearance of the host dwelling, street scene or The Green, Sarratt Conservation Area and the development would be acceptable in this regard in accordance with Policies CP1 and CP12 of the Core Strategy and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

7.3 Impact on amenity of neighbours

7.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Policy DM1 and Appendix 2 of the Development Management Policies document set out that residential development should not result in loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.

7.3.2 The proposed two storey rear extension would be set approximately 2m at its narrowest point from the boundary with High Rising to the north and set in approximately 7m from the common boundary with the land to the south of the site. The two storey rear extension would not intrude a 45 degree splay line take from the point on the boundary level with the rear elevation of either High Rising or the land to the south of the site and beyond that 1 Wheatsheaf Cottages. Given this and considering the spacing around the site, it is not considered that the proposed rear extensions would cause any loss of light or overlooking to the windows of any neighbouring dwellings.

7.3.3 The neighbouring dwelling to the South, High Rising is set further back than the rear elevation of Northend but is screened by mature trees along the shared boundary. It is not considered that the proposals, while extending to a greater depth than the existing dwelling would have any significant impact on this lower level neighbouring dwelling. The inclusion of a high level rooflight to the proposed flank roof slope would have minimal impact in terms of overlooking of this neighbouring property as this neighbouring dwelling is set back from the common boundary by approximately 10m.

7.3.4 The additional bulk of the two storey element of the rear extensions is not considered to be excessive as to be visually overbearing to the occupiers of this adjacent dwelling which is largely screened from the dwelling. The proposed rooflight within the southern elevation would not facilitate any overlooking to the neighbouring dwelling to the south (1 Wheatsheaf Cottage) as this dwelling is separated from the application site by an area of land with garages to the rear. The proposed bi-fold doors at ground floor level would not facilitate any overlooking as they would be sited approximately 11m from the common boundary with the neighbouring open land to the south.

7.3.5 It is not considered that overlooking would be possible from the proposed rear facing first floor and ground floor windows proposed as they would overlook the rear amenity space of the application site and no objection is made with regard to the impact of the proposed alterations to the residential amenities of any adjacent neighbours.

7.3.6 The front rooflight and timber doors serving the converted garage would not result in any overlooking to any neighbouring dwellings and would look out upon The Green.

7.4 Amenity Space Provision for future occupants

7.4.1 Policy CP12 of the Core Strategy states that development should take into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space. Appendix 2 of the DMP LDD indicates that a four bedroom dwelling should be served by 105sq.m of amenity space.

7.4.2 The application site would retain approximately 180sqm of amenity space and as such would comply with Appendix 2 of the DMP LDD in this respect.

7.5 Wildlife and Biodiversity

7.5.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive.

7.5.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application.

7.5.3 This application has been accompanied by a bat report dated July 2017 by Cherry Field Ecology. Hertfordshire Ecology have reviewed the submitted survey and have advised that evidence of roosting bats was found under the gaps in the waney boards on the front elevation, the central rear dormer and in the chimney within the front elevation. Roosting feature were also identified amongst hung tiles and roof tiles. However suitable mitigation has been provided to safeguard bats. In the event of any planning permission being granted a condition will also be added to safeguard bats in accordance with the submitted bat survey.

7.5.4 It has now been demonstrated that the proposed development would not result in harm to protected species and the development would comply in this regard with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013) and therefore the previous reason for refusal has been overcome.

7.6 Trees and Landscaping

7.6.1 Policy CP12 of the Core Strategy expects development proposals to 'have regard to the character, amenities and quality of an area', to 'conserve and enhance natural and heritage assets' and to 'ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features'.

7.6.2 No protected trees would be removed or harmed as part of this application. Were this application considered otherwise acceptable, conditions would be attached requiring tree protection measures to be implemented before any works take place.

7.7 Highways, Access and Parking

7.7.1 Policy DM13 of the Development Management Policies LDD requires developments to ensure that sufficient parking is provided in accordance with the parking standards set out at Appendix 5 of the Development Management Policies LDD.

7.7.2 The proposed development would result in one additional bedroom to create a four bedroom property. Appendix 5 of the DMP LDD outlines that four bedroom dwellings should retain three assigned spaces.

7.7.3 Although the garage would be lost, the application site would retain hardstanding to the front which could accommodate three cars, therefore the dwelling would have three car parking spaces in accordance with Core Strategy Policy CP10 and Policy DM13 and Appendix 5 of the Development Management Policies document.

8. Recommendation

8.1 That PLANNING PERMISSION BE REFUSED for the following reason(s):

- R1 The proposal would significantly increase the bulk and mass of the dwelling with the size, scale and design of the extensions resulting in disproportionate additions over and above the size of the original dwelling. The proposed development would also spread development across the site and would cause harm to the openness of the Green Belt. No very special circumstances exist to outweigh the harm to the Green Belt by virtue of its inappropriateness as such the proposal is contrary to Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (adopted July 2013) and the National Planning Policy Framework.

Informative:

- I1 The Local Planning Authority has been positive and proactive in considering this planning application in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. Whilst the applicant and the Local Planning Authority engaged in discussions during the course of the application, no amendments were submitted by the applicant. The proposed development fails to comply with the requirements of the Development Plan and does not maintain/improve the economic, social and environmental conditions of the District.