

8. 19/0437/FUL – Provision of two dormers to the south east elevation (front elevation) at LONG ROOFS, COMMONWOOD, SARRATT, HERTS, WD4 9BA (DCES)

Parish: Sarratt

Ward: Chorleywood North and Sarratt

Expiry of Statutory Period: 31 May 2019 (Agreed Extended Time)

Case Officer: Suzanne O'Brien

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: The application has been called into Committee by Sarratt Parish Council.

1 Relevant Planning History

1.1 96/0127 - Single storey conservatory to rear – Permitted - 26.03.1996

1.2 16/2057/FUL - Single storey rear extension, first floor rear extension and roof extension including construction of crown roof and front and rear dormers – Refused - 01.12.2016

Reason for refusal:

R1 The proposed single storey rear extension, first floor extension and roof extension including crown roof and front and rear dormers and gables would result in disproportionate additions to the original dwelling which has been previously extended. There would be encroachment of built form into the Green Belt and the development would have a significant adverse impact on the openness of the Metropolitan Green Belt. The development would be an inappropriate form of development within the Metropolitan Green Belt and would result in significant actual harm to the openness of the Green Belt. No very special circumstances exist to outweigh the harm of the development to the openness of the Green Belt. As such the proposal is contrary to Policy CP11 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD (adopted July 2013).

1.3 17/0809/FUL – Single storey rear extension and alterations to roof of existing extension – Permitted – 14.06.2017

1.4 18/0312/FUL – Loft conversion including roof link extension at first floor, insertion of dormers to rear and side – Permitted – 03.04.2018 – works have commenced.

2 Description of Application Site

2.1 The application site contains a detached dwelling located to the north east of Commonwood House and on the north west side of Commonwood, Sarratt. The application site is located within the Metropolitan Green Belt and the area is predominantly characterised by large detached properties situated in open spacious plots. The application dwelling is a single storey pitched roofed bungalow. The dwelling has a single storey rear projection that has a separate pitched roof. An attached single storey garage is sited along the northern boundary. The site is served by a generous rear amenity space provision.

2.2 The southern boundary of the site adjoins Commonwood House which is a large detached building that has been subdivided into a number of residential properties. Tudor Lodge is the closest of these properties to the application site and is sited directly to the south of the application site. Tudor Lodge sits forward of the application dwelling

2.3 The works in connection with the previous planning permissions have commenced.

3 Description of Proposed Development

- 3.1 This application seeks full planning permission for the insertion of two dormers in the front roof slope.
- 3.2 The proposed dormers would each measure 2.2m in width, 1.5m in height and 1.6m in depth with a flat roof and would be set in approximately 3.3m from both of the flank elevations of the dwelling.

4 Consultation

4.1 Statutory Consultation

4.1.1 Sarratt Parish Council: [Objects]

The Parish Council objects to this application on the grounds that it is out of keeping in such a prominent site, and the cumulative total bulk of all of the recent extensions is to the detriment of the Green Belt. It is felt that the recent applications including this one is now reaching the proposal on the application 16/2057/FUL that was refused.

If officers are minded to approve this application it requests that it is called into planning committee.

4.1.2 Herts Ecology: No comments received.

4.1.3 Herts and Middlesex Wildlife Trust: No comments received.

4.1.4 National Grid: No comments received.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 7

4.2.2 No of responses received: 1

4.2.3 Site Notice: 5 April 2019 Press notice: Not applicable.

4.2.4 Summary of Responses:

- Name 'Longroofs' indicates that the tiled roof is the most attractive and significant part of the property; the inclusion of 2 dormer windows would totally spoil the line and character of the roof fronting Commonwood;
- Dormers are totally out of character with the listed Commonwood House and other traditional properties;
- The house has already been extended with rear dormers;
- The existing extensions have caused considerable inconvenience over an extended period of time.

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

In 2019 the new National Planning Policy Framework was published. This is read alongside 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 is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

The NPPF states that ‘good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’. 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 Development 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, DM6, DM13 and Appendices 2 and 5.

6.3 Other

Supplementary Planning Guidance No. 3 – Extensions to Dwellings in the Green Belt (March 2004) provides further guidance on extensions to dwellings in the Green Belt.

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 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. Green Belts can shape patterns of urban development at sub-regional and regional scale, and help to ensure that development occurs in locations allocated in development plans. They help to protect the countryside, be it in agricultural, forestry or other use.

7.1.2 The NPPF at paragraph 145 states that local planning authorities should consider the construction of new buildings in the Green Belt as inappropriate development, with the

exception of the extension or alterations of a building provided that it does not result in disproportionate additions over and above the size of the original building.

- 7.1.3 Core Strategy Policy CP11 sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it.
- 7.1.4 Policy DM2 of the Development Management Policies document relates to development within the Green Belt and sets out 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.
- 7.1.5 The 'Extensions to Dwellings in the Green Belt Supplementary Planning Guidance' 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 of the Development Management Policies document. Nevertheless, the Extensions to Dwellings in the Green Belt Supplementary Planning Guidance provides useful guidance and paragraph 4.5 of the Development Management Policies document 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.
- 7.1.6 The Supplementary Planning Guidance advises that disproportionate extensions are those resulting in an increase of more than 40% over the floor area of the original dwelling.
- 7.1.7 The previous extensions to the dwelling including the single storey rear extension and alterations to the roof resulted in an approximately 56% increase in floorspace of the original dwelling. The proposed dormers would increase the floorspace above the existing by 4sq.m. Cumulatively the proposed development in conjunction with the previous extensions would result in a 58% increase above the original dwelling.
- 7.1.8 The cumulative increase does exceed the 40% guidance as set out within the Green Belt SPG. However, paragraph 11 (d) of the Green Belt SPG advises that extensions resulting in a cumulative increase in floorspace of over 40% compared with the original dwelling will normally be unacceptable with exceptions including dormer windows and in-fill extensions which do not increase the apparent bulk of the building.
- 7.1.9 The proposed dormers would be proportionate in scale to the existing roof form with glazing covering the full frontage and the size of the dormer cheeks minimised. As such, the proposed two front dormers would not result in disproportionate additions to the original building or make the building appear materially more prominent within the landscape than the original dwelling. The dormers would meet the exception detailed above and would be in accordance with Policy DM2 of the Development Management Policies document.
- 7.1.10 In relation to the existing extensions, the rear dormers were considered to be proportionate in scale and number to the dwelling and the single storey rear extension consisted of an infill extension which was not considered to result in any increase in the apparent bulk of the building. The cumulative impact of the previously approved dormers and single storey rear extension in conjunction with the proposed two front dormers would not result in a building that would appear materially more prominent within the landscape than the existing structure or result in a bulk and massing that would represent disproportionate additions to the original building.
- 7.1.11 The application has been called into Committee by Sarratt Parish Council as concerns have been raised that the proposed development, cumulatively with the previously approved extensions, would represent a similar scale to that of refused application 16/2057/FUL.

Application 16/2057/FUL was refused due to the disproportionate nature of the proposed alterations to the roof. The refused application proposed a flat roof link between the two roof pitches to cover the full width of the property which would have resulted in the creation of a two storey dwelling with a large flat roof and gabled flank elevations. The refused scheme also proposed the insertion of large pitched roof dormers to the front and rear in conjunction with a central two storey pitched roof gable end projection to both the front and rear elevations. The extensions to the roof proposed under application 16/2057/FUL would have resulted in significant increase in bulk and massing in comparison to the original built form; the officers report notes that the refused scheme would have represented an approximately 111% increase in floorspace above that of the original dwelling.

- 7.1.12 The proposed development combined with the previously approved extensions would not be of the same scale as that of the refused scheme. The previously approved pitched roof link would be set in from both flanks and proposes a subordinate link between the existing two roof pitches. The existing dwelling would maintain the appearance of a bungalow where the proposed dormers, in conjunction with the previously approved extensions, would represent an extension to the existing roofspace rather than the creation of a two storey dwelling.
- 7.1.13 As such, the proposed development, in conjunction with the previously approved extensions, would not be of a scale or design that would reflect that of the scheme refused under application 16/2057/FUL.
- 7.1.14 The proposed development individually or cumulatively, in conjunction with the existing extensions, would not represent a disproportionate addition to the original dwelling and would not result in a prominent feature within the landscape. The proposed development would therefore be in accordance with Policy CP11 of the Core Strategy and Policy DM2 of the Development Management Policies LDD.

7.2 Impact on the character and appearance of the street scene and adjacent heritage asset

- 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'.
- 7.2.2 The Design Criteria at Appendix 2 of the Development Management Policies document set out that new development should not be excessively prominent in relation to the general street scene and should respect the character of the street scene, particularly with regard to the spacing of properties, roof form, positioning and style of windows and doors and materials. The Design Criteria stipulates that dormer windows should always be subordinate to the main roof and set back from the plant of the front or rear wall.
- 7.2.3 The proposed dormers would be sited within the front elevation facing Commonwood. They would be set down from the ridge, set in from the flanks and set back from the front elevation of the dwelling. The proposed dormers would be clearly subordinate to the existing roof form and would not result in prominent or disproportionate features. The Design Criteria stipulates that front dormers may not always be appropriate in the street scene. Commonwood is predominantly characterised by detached dwellings where each property is of a unique scale and design. The insertion of two subordinate dormers to serve the existing bungalow would not detract from the varied nature of the street scene. The dormers are considered to break up the existing expanse of roof form fronting Commonwood. The visibility of the application dwelling and proposed dormers from Commonwood would not serve to render the proposal unacceptable from a visual amenity respect.
- 7.2.4 To the south of the building is Commonwood House. Commonwood House is a Locally Important building which has been subdivided into a number of properties. The insertion of

two subordinate dormers within the front elevation of the existing bungalow would not introduce a prominent or contrived feature that would detract from the special character or setting of the adjacent Locally Important Building.

7.2.5 The insertion of two dormers to the front roofslope would not result in any demonstrable harm to the visual amenities of the area in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

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'.

7.3.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that 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.

7.3.3 The proposed dormers would be sited within the front elevation facing onto Commonwood. Due to the siting and scale of the dormers they would not result in any loss of light, harm to the visual amenities or overlooking of the surrounding neighbouring properties.

7.4 Car Parking and Amenity Space

7.4.1 Core Strategy Policy CP10 sets out that development should make adequate provision for car and other vehicle parking and Policy DM13 and Appendix 5 of the Development Management Policies document set out requirements for parking provision and advise that a four or more bedroom dwelling should provide parking for three vehicles.

7.4.2 The plans indicate that the dormers would serve storage rooms although they could provide additional habitable accommodation. The proposal would not alter the parking requirements as approved under the previous permission which considered that the combined first floor accommodation and ground floor accommodation could provide a four plus bedroom dwelling.

7.4.3 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.

7.4.4 There would be sufficient amenity space provision to accommodate the additional bedrooms.

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 The works to the roof granted under planning permission 18/0312/FUL have commenced. In relation to planning permission 18/0312/FUL Herts Ecology suggested that an informative

regarding bats is attached to the permission. In light of this an informative regarding bats would be attached the current application if approved.

7.6 Trees and Landscaping

- 7.6.1 Policy DM6 of the Development Management Policies LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.
- 7.6.2 No protected trees would be adversely affected by the proposed development.

8 **Recommendation**

8.1 That PLANNING PERMISSION BE GRANTED subject to the following conditions:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2 The development hereby permitted shall be carried out in accordance with the following approved plans: TRDC001 (Location Plan), TRDC002 (Site Plan), 1946.01, 1946.02, 1946.03, 1946.04.

Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies CP1, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2, DM6 and DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

C3 Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

Reason: To ensure that the external appearance of the building is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

8.2 **Informatives:**

I1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) (for self-build housing) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- 12 The Local Planning Authority has been positive and proactive in its consideration of 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. The development maintains/improves the economic, social and environmental conditions of the District.
- 13 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 14 Bats are protected under domestic and European legislation where, in summary, it is an offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in a roost or deliberately disturb a bat in a way that would impair its ability to survive, breed or rear young, hibernate or migrate, or significantly affect its local distribution or abundance; damage or destroy a bat roost; possess or advertise/sell/exchange a bat; and intentionally or recklessly obstruct access to a bat roost.

If bats are found all works must stop immediately and advice sought as to how to proceed from either of the following organisations:

The UK Bat Helpline: 0845 1300 228

Natural England: 0300 060 3900

Herts & Middlesex Bat Group: www.hmbg.org.uk

or an appropriately qualified and experienced ecologist.

(As an alternative to proceeding with caution, the applicant may wish to commission an ecological consultant before works start to determine whether or not bats are present).