

7. 19/0996/FUL – Single-storey side and rear extension and two-storey side extension at ANDREWS LEY FARM, HAREFIELD ROAD, RICKMANSWORTH, HERTFORDSHIRE, WD3 1PD

Parish: Batchworth

Ward: Rickmansworth Town

Expiry of Statutory Period: 31.07.2019

Case Officer: Tom Norris

Recommendation: That Planning Permission be Refused.

Reason for consideration by the Committee: Called to Committee by three Members of the Planning Committee should officers be minded to refuse.

1 Relevant Planning and Enforcement History

1.1 19/0123/FUL - Single and two storey side extension - 19.03.2019 – Withdrawn.

2 Description of Application Site

2.1 The application site is located on the western side of Harefield Road, Rickmansworth. The site includes a detached dwelling set some 6m from the road enclosed by a brick wall and gates. The dwelling is formed of two adjoining two-storey elements, with a double roof with central valley gutter and ridge running parallel to Harefield Road. The dwelling is finished in white painted render and brickwork, with dark timber detailing to the gables. There is a single-storey projection from the southern flank wall of the dwelling. This appears to be an extension to the dwelling given its architectural style and contrasting finish materials including a grey tiled lean-to roof.

2.2 Rear of the main dwelling itself are a series of buildings of former agricultural use which have been converted to habitable accommodation. These buildings are currently in use as accommodation for the bed and breakfast business run from the application site and what appears to be garaging and storage uses. The buildings form an arc shape around a courtyard area to the rear of the dwelling. The single-storey addition to the rear of the main dwelling has linked these buildings internally to the main dwelling.

2.3 To the south and west of the building is hardstanding which is utilised as car parking. Beyond this area is an open grassed area. The application dwelling is located within the Metropolitan Green Belt.

3 Description of Proposed Development

3.1 This application seeks full planning permission for a single-storey side and rear extension and a two-storey side extension.

3.2 The proposed ground floor extension would be an extension to the south west corner of the main dwelling, infilling the space between the existing single-storey side extension and ground floor projection to the rear. The single-storey extension would therefore have a depth of 4.7m and a width of 4.4m. The extension would have a mono-pitched roof with an eaves height of 2.6m and a maximum overall height of 3.4m, matching that of the existing side extension and ground floor rear projection. A set of bi-fold doors would be inserted in the southern flank elevation of the extension and a door and a window would be inserted in the western ground floor elevation.

3.3 The proposed two-storey extension would be built to the southern flank of the main dwelling, adjacent to the rearmost two-storey portion of the dwelling, as described in the previous section. The first floor extension would have a width of 4.4m, a depth of 4.1m and would have a gabled roof with an eaves height of 4.5m and a maximum overall height of 6.6m, matching that of the main dwelling. The extension would extend some 2.8m beyond the principal flank wall of the dwelling, when viewed from the front, and would align with the

maximum width of the existing ground floor extension. A window would be inserted in the southern and western flank elevations at first floor level.

4 Consultation

4.1 Statutory Consultation

4.1.1 National Grid: [No response received]

4.1.2 Batchworth Community Council: [No response received]

4.2 Public/Neighbour Consultation

4.2.1 Neighbours consulted: 3

4.2.2 Responses received: 0

4.2.3 Site Notice posted: 17.06.2019, expiry date: 08.07.2019

4.2.4 Press notice not required

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 February 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 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, DM9, DM13 and Appendices 2 and 5.

6.3 Other

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

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 Impact on the Metropolitan 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 states at Paragraph 145 that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt however exceptions to this are the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
- 7.1.3 Policy CP11 of the Core Strategy (adopted October 2011) 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 LDD (adopted July 2013) relates to development within the Green Belt and states that, as set out in the National Planning Policy Framework, the construction of new buildings in the Green Belt is inappropriate.
- 7.1.5 Policy DM2 states 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. The policy is therefore consistent with the NPPF.
- 7.1.6 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. The Supplementary Planning Guidance advises that an increase of more than 40% over the floor area of the original dwelling may not be disproportionate. This document provides useful guidance in terms of assessing what a proportional increase to the original building may be.

- 7.1.7 The application site consists of a main residential dwelling on a relatively large plot that spans towards the south west forming an amenity garden. Behind the main dwelling are a series of former agricultural buildings. These buildings are currently in use as accommodation for the bed and breakfast business run from the application site and what appears to be garaging and storage uses. The buildings form an arc shape around a courtyard area to the rear of the dwelling. A single-storey projection to the rear of the main dwelling has linked the bed and breakfast accommodation internally to the main dwelling. Given the absence of planning history at the site, it is not clear what point in time that this occurred.
- 7.1.8 The applicant submitted two old photographs with the application which depict the dwelling at some point between 1946 and 1952. These photos indicate the dwelling much how it exists today including the single-storey projection to the rear elevation. The only notable difference being a single-storey side extension in place of the small conservatory shown in the photo. It is considered to be common ground between the LPA and the applicant that the single-storey side extension element is the only known extension to the property, discounting the former farm buildings to the rear which have become linked to the dwelling.
- 7.1.9 When viewing the site from the street, it is considered that the main two storey dwelling is apparent as a distinctive building, with the single storey ranges appearing as later additions due to their subservient size and appearance. Therefore, taking the main dwelling in isolation, discounting the linked former farm buildings and single-storey side extension, the ground floor of the dwelling has an 'original' gross internal floor area of some 80sqm and the first floor has a gross internal floor area of some 60sqm; a total floor area of 140sqm. Factoring into consideration the existing single-storey side extension and the extensions proposed under this application, the dwelling would have a total gross internal floor area of 190sqm. This would constitute a 35% increase in floor space.
- 7.1.10 Given the complexity and layout of the site, there is considered to be somewhat of a lack of distinction of what is considered part of the dwelling. Whilst the linked single-storey building to the rear is currently bed and breakfast guest accommodation, this use could eventually cease and the accommodation could conceivably form part of the dwelling given the internal link. Therefore, whilst the floorspace calculation may be useful in providing a starting point as to what may be proportionate, only some weight should be given to this arithmetic exercise. Case law makes it clear that when assessing development within the Green Belt, it is necessary to take into account both the visual and spatial aspects of openness. This means that the visual impact of a proposed development may be just as important when assessing Green Belt development as the volume or floor area to be created.
- 7.1.11 Therefore it is important to assess as to whether the proposal is disproportionate from a visual aspect that a mathematical calculation may not convey. At present, the original front façade of the dwelling is clear in the street scene. Other than the single-storey side extension, the front elevation is otherwise not impacted by any extensions.
- 7.1.12 The ground floor element of the proposal would infill the south-west corner of the dwelling to the rear. It would not extend any deeper than the existing single-storey rear projection nor would it extend any wider than the existing single-storey side extension. While the extension would have a relatively high roof due to matching the profile of the existing side projection, it is not considered to result in this part of the dwelling appearing visually more prominent as views of it would be read against the backdrop of the existing built form. The single-storey element of the proposed development is therefore not considered to amount to disproportionate additions to the host dwelling.
- 7.1.13 The two-storey element however would extend some 2.8m in width beyond the principal first floor flank wall of the dwelling. When viewed from the front, the proposed first floor extension would align with the maximum width of the existing ground floor extension. It is considered that the proposal to extend beyond the front façade at first floor level would fundamentally alter the view of the building's main frontage from the street. Whilst it would

not extend beyond the existing ground floor side extension, the proposed first floor extension would generally be read against the main body of the house which is considered to be the two-storey part. In addition, whilst the proposed first floor extension partially infills the south-west corner of the dwelling at two-storey level, it is considered that the part extending beyond the front façade would appear disproportionate to the dwelling. At present, the rear part of the existing building is subservient, tucked behind the principal frontage. The proposed side extension would result in this element being wider and more prominent than the principal elevation, introducing a featureless wall facing the street which would appear dominant, discordant in the context of the host building and disproportionate to the original dwelling.

- 7.1.14 In summary, there would be a visually-apparent increase in massing, bulk and scale at the first floor compared to the existing dwelling by virtue of the extension projecting wider than the principal flank wall. Whilst, having regard to the 'Extensions to Dwellings in the Green Belt' SPD the extension falls just below the 40%, the design and siting of the proposal are considered to appear disproportionate to the host dwelling which is not conveyed by an arithmetic calculation.
- 7.1.15 The proposed extensions therefore, considered cumulatively, would be a disproportionate addition over and above the size of the original building and, by virtue of the increased apparent bulk at first floor level, would increase the prominence of the building. The proposal would therefore constitute inappropriate development in the Green Belt. No very special circumstances have been demonstrated to outweigh the harm to the Green Belt, and 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 NPPF.

7.2 Impact upon Character & Appearance

- 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 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 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. The Design Criteria States that, in order to prevent a terracing effect and maintain an appropriate spacing between properties in character with the locality, first floor extensions (i.e. over a garage or previous ground floor extension) shall be a minimum of 1.2 metres from the flank boundary. With regard to single-storey proposals, proximity to the flank boundary will be individually assessed for side extensions and generally the maximum depth should be 4m in the case of rear extensions to detached dwellings.
- 7.2.3 The proposed single-storey extensions to the property would infill the space between the existing single-storey side extension and ground floor projection to the rear. Therefore, whilst at 4.7m in total depth, it would technically exceed the Design Criteria depth of 4.0m. However it is not considered that this element of the proposal would appear disproportionate or out of character in the context of the host dwelling and would be read against existing built form.
- 7.2.4 The proposed first floor extension would maintain spacing well in excess of the 1.2m outlined in the Design Criteria and as such is not considered that a terracing effect would arise from the proposal. In terms finish materials and the gabled roof design to match the existing building, it is considered that the proposed first floor extension would reflect the host building from a character perspective. However, the extension would have a height matching that of the host building, and whilst set back from the street scene would project

beyond the side of the host building. The front-elevation would contain no windows and it is considered that the first floor element would as a result of its height and design appear prominent in relation to the general street scene.

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 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 Given the scale and siting of the proposed extensions to the application dwelling and the absence of any adjoining neighbours located to the south, it is not considered that the proposal would give rise to an unacceptable impact in terms of a loss of light or have an overbearing impact. The proposed extensions would contain glazing and ground and first floor level within the rear elevation which would provide some views towards the end of the rear garden of the adjoining neighbours to the north. It is however considered that this would not provide a materially different view to that which exists currently and therefore would not result in additional harm over and above the current situation.

7.3.3 In summary, the proposed development would not result in any significant adverse impact on the residential amenity of any neighbouring dwelling so as to justify refusal of the application and the development would therefore be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

7.4 Highways & Parking

7.4.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means of access and to make adequate provision for all users, including car parking. Policy DM13 and Appendix 5 of the Development Management Policies document set out parking standards.

7.4.2 The proposed development would result in the application dwelling becoming a four bedroom property which parking standards dictate should provide three parking spaces. The dwelling is considered to provide ample parking in any instance including driveway spaces and garages to the rear. It is considered that the proposal is acceptable in this regard.

7.5 Rear Garden Amenity Space

7.5.1 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.

7.5.2 The dwelling would retain a rear amenity garden well in excess of the standard and as such would be acceptable in this regard.

7.6 Trees & Landscape

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 The proposed development would not require the removal of any trees nor is considered to result in any harm to others.

7.7 Biodiversity

7.7.1 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. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.

7.7.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application. A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected as a result of the application.

8 **Recommendation**

8.1 That PLANNING PERMISSION BE REFUSED for the following reason:

R1 The proposed extensions, considered cumulatively, would be a disproportionate addition over and above the size of the original building and, by virtue of the increased apparent bulk at first floor level, would increase the prominence of the building. The proposal therefore would represent an inappropriate form of development and would result in actual harm to the openness and visual amenities of the Green Belt and would be detrimental to the character of the host building and the street scene. It is considered that very special circumstances do not exist to outweigh the harm of the development to the Green Belt by virtue of its inappropriateness and actual harm. As such the proposal is contrary to Policy CP11 of the Core Strategy (adopted October 2011), Policies DM1, DM2 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and the NPPF.

8.2 Informatives

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. The Local Planning Authority encourages applicants to have pre-application discussions as advocated in the NPPF. The applicant and/or their agent did not have formal pre-application discussions with the Local Planning Authority and 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.