

## PLANNING COMMITTEE – 25 JUNE 2020

### PART I - DELEGATED

6. **20/0589/FUL – Part single, part two storey side extensions, single storey rear extension and connection of outbuilding to main dwelling, loft conversion including extension to roof, increase in ridge height and installation of front and rear dormers and construction of raised terraces at PIMLICO HOUSE, HYDE LANE, NASH MILLS, HP3 8SA.**

Parish: Abbots Langley Parish Council

Ward: Gade Valley

Expiry of Statutory Period: 25.05.2020

Case Officer: Freya Clewley

Recommendation: That Planning Permission be refused.

Reason for consideration by the Committee: The architect for this application is a Local Councillor.

**Update:** The application was deferred at the May Planning Committee in order for Officers to assess amended plans for a reduced scheme, which had been forwarded to Committee Members. As the first floor rear extension has been removed as part of the amendments, the description for this application has been updated to remove the reference to the two storey rear extension. The proposed development section of this report has been updated to refer to the amended proposals, and the relevant analysis sections of this report have also been updated.

Officers requested additional historic dated maps to demonstrate exactly when the cottage building was constructed, however the submitted maps do not sufficiently demonstrate that the cottage was constructed prior to 1948, and therefore the cottage cannot be considered original as part of the current application. The Officer Recommendation has been amended as it is considered that, on balance, the amended plans have overcome concerns relating to the impact of the proposal on the character and appearance of the host dwelling but not the adverse impact on the Green Belt

#### 1 Relevant Planning History

- 1.1 13/0482/FUL – Erection of black painted steel electric gates, timber gates and brick piers to front and side vehicular entrances with fencing and associated works – Permitted 23.05.2013.

#### 2 Description of Application Site

- 2.1 The application site is irregular in shape, measuring over 81,000sqm in area, and contains a large detached dwelling located on the northern side of Hyde Lane, Nash Mills. Hyde Lane is a country lane and is rural in character with some detached dwellings and farm buildings located within spacious plots.
- 2.2 The host dwelling is an early twentieth century construction and is considered to be of local historic interest, however it is not locally listed. There are single storey flat roofed garages to the east of the dwelling, and a detached cottage to the north which was a later addition. The dwelling is a Neo-Georgian style and is large and grand in appearance. The dwelling remains relatively unaltered from its original form. The dwelling is finished in mixed red brickwork with a shallow hipped roof form, set back from the parapet eaves of the dwelling. The dwelling has a number of characterful chimneys and a patio area abuts the rear elevation of the dwelling. There is a gravel driveway to the front of the dwelling. The dwelling is set back approximately 110m from the highway.

- 2.3 The neighbour to the west, Little Abbots, is set in from the shared boundary with the application site by approximately 87m. The neighbour to the east, Hyde Farm, is set in from the shared boundary with the application site by approximately 10m, and this neighbour is set forward of the host dwelling.

### **3 Description of Proposed Development**

- 3.1 The applicant is seeking full planning permission for the construction of part single, part two storey side extensions, single storey rear extension and connection of outbuilding to main dwelling, loft conversion including extension to roof, increase in ridge height and installation of front and rear dormers and construction of raised terraces (no additional bedrooms).
- 3.2 At ground floor level, the proposed side extension would be constructed to the western flank of the dwelling, with a width of 6.2m, set back 0.7m from the two storey front projection, with a depth of 11.8m. The extension would extend approximately 3.2m beyond the main two storey rear elevation of the dwelling. To the rear, the extension would extend across the rear elevation of the dwelling, with a width of 30.9m, adjoining the existing detached cottage. The extension would include a curved recessed element to the centre of the rear elevation. The rear extension would adjoin the existing detached cottage, hereafter referred to as outbuilding, to the dwelling by a 3.9m deep rear extension. The single storey elements of the proposal would have a flat roof form with a height of 4.3m.
- 3.3 At first floor level, an extension is proposed to the western flank of the dwelling, above the proposed ground floor extension. The first floor extension would be set back 3.3m from the front elevation of the dwelling, with a depth of 5.3m and a width of 2.8m. This element would have a flat roof form, with a height of 7.9m, in line with the existing eaves of the host dwelling. The roof of the ground floor extension would be used as a raised terrace with balustrading.
- 3.4 A conservatory style extension is proposed to the eastern flank of the dwelling at ground floor level. This element would have a width of 2.9m and a depth of 6.8m. This element would have a pitched roof form with a maximum height of 3.6m and an eaves height of 3.1m.
- 3.5 A first floor side extension is also proposed to the eastern flank of the dwelling. This element would be set back 2.6m from the front elevation of the dwelling, with a width of 2.4m to the front, and a depth of 5.8m. This element would have a flat roof form, with a height of 7.5m. A terrace is proposed above the ground floor accommodation to the eastern flank.
- 3.6 The proposal would include a loft conversion, including roof alterations to remove the valleys and extend the area of the crown roof. The crown roof would have an area of 61sqm. The proposal would include an increase in ridge height of the dwelling by approximately 0.2m. Two flat roofed dormer windows are proposed within the front roofslope of the dwelling with two flat roofed dormer windows proposed within the rear roofslope and a terrace at second floor level located centrally within the rear roofslope.
- 3.7 Amended plans were received during the course of this application to remove the first floor rear extension, reduce the width of the first floor side extensions and alter the proposed roof form of the two storey side extensions and reduce the number of dormers within the rear elevation roofslope. The floorspace of the proposed extensions has been reduced by 77sqm.

### **4 Consultation**

#### **4.1 Statutory Consultation**

- 4.1.1 Abbots Langley Parish Council: No response received.
- 4.1.2 Conservation Officer: [Objection]

*Pimlico House is a non-designated heritage asset. The scale and architectural features of this property contribute to local identity and distinctiveness.*

*The house is not present on the OS Map of 1899 and appears on the OS Map of 1924, therefore it is an early twentieth century construction and is considered to be of local historic interest and an interesting element of the development of the area. The garages to the east of the house are part of the original construction. The detached outbuilding was not part of the original construction but appears on the 1960 OS Map.*

*This property is constructed in a Neo-Georgian style. The revival of Georgian architecture emerged during the early twentieth century as there was a growing nostalgia for its sense of order. Georgian architecture is typified by its formality, regularity and classical appearance, the Neo-Georgian style was a replication of this.*

*The property is large and palatial in appearance and remains relatively unaltered from its original form. It is well balanced, well-proportioned, well-mannered and there is regularity in the design, therefore it is representative of this Neo-Georgian style and a good example.*

*The scale of the proposed extensions and alterations are disproportionate and do not relate well to the host building. Extensions should be subservient. Any development or alterations to this property should be sympathetic to the historical and architectural character of this property. The proposal appears very haphazard and piecemeal, eroding the formality of this historic property.*

*The existing front elevation is symmetrical in design which is defining feature of this historic property and the proposed extensions are not sensitive to this traditional appearance. The proposal results in an imbalanced form between the front and rear elevations which would diminish the uniformity of Pimlico House. This proposal fails to realise the defining features of this property and would result in the loss of its significance. The property's significance derives from its unaltered form and appearance and therefore the form of the existing building should remain as the most visually prominent structure on this site. The proposed rear elevation is convoluted and jarring and does not relate well to the simple ratios of the existing building. The fenestration design of the rear elevation clumsy, the irregular use of fanlight and sash windows appears cluttered and unsympathetic. Similarly, the window proportions and number of apertures contribute to this cramped appearance. Neo-Georgian architecture is underpinned by the Classical style which is defined by its symmetrical, ordered and rectangular layout.*

*The gap that currently exists between the principal property and the detached building works to emphasise the hierarchy of buildings on this site. The two storey-side extension and connection of these two building undermines the historical integrity of this site. Linking the two buildings will dilute the relationship of the outbuilding and the principal building. The current garage and outbuilding are well articulated as ancillary structures and set back from the main building, and this proposal will result in the loss of the prominence of the principal elevation. This property is a good example of architectural inspiration and cultural change in Britain at the turn of the century. This proposal would cause harm to the non-designated heritage asset and result in the loss of its significance and therefore paragraph 197 of the National Planning Policy Framework is relevant.*

Following the submission of the amended plans, the Conservation Officer has made the following comments:

*The amended proposal relates much better and the rear of the property is much more in keeping with the neo- Georgian style.*

*I feel the linking of the detached cottage to the rear and the main house remains quite contentious. Equally, the conservatory to the east elevation looks at odds. This side of the*

*property was likely to be the service side with the cottage to the rear and the single storey extension being originally ancillary in function. It also blocks views to the cottage behind and results in loss of distinction and separation between the principle house and the service cottage.*

4.1.3 Hertfordshire County Council – Footpath Section: No response received.

4.1.4 Herts and Middlesex Wildlife Trust: No response received.

4.1.5 Herts Ecology: No response received.

4.1.6 National Grid: No response received.

## **4.2 Public/Neighbour Consultation**

4.2.1 Number consulted: 6

4.2.2 No of responses received: 0 objections, 0 letters of support

4.2.3 Site Notice: Expired: 02.05.2020                      Press notice: Expired: 02.05.2020

4.2.4 Summary of Responses: None

## **5 Reason for Delay**

5.1 Deferred at May's Planning Committee to allow for assessment of amended plans.

## **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, CP8, 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 (August 2003).

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 Green Belt

- 7.1.1 The site is located within the Metropolitan Green Belt. Paragraph 133 of the NPPF states that the Government attaches great importance to Green Belts. The essential characteristics of Green Belts are their openness and their permanence. In relation to extensions to buildings in the Green Belt the NPPF stipulates at paragraph 145 that provided the extension or alteration of a building does not result in a disproportionate addition over and above the size of the **original building** it would not be inappropriate. Inappropriate development is, by definition, harmful to the Green Belt.
- 7.1.2 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.
- 7.1.3 Policy DM2 of the Development Management Policies LDD (adopted July 2013) 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.
- 7.1.4 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 by virtue of its age, 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. Furthermore, the SPG states 'extensions to isolated dwellings in the countryside will be judged on their own merits given site circumstances, as in some instances side extensions may be preferable to rear extensions. The floorspace of existing outbuildings within residential curtilages that may be

proposed to be removed will not be taken into account in assessing the size of the original dwelling nor the proposed percentage increase.

#### 7.1.5 Green Belt Calculations;

- Floor space of original dwelling (as existing including loft storage area) – 609sqm
- Floor space of existing outbuilding – 118sqm
- Floor space of proposed extensions; 473sqm (including cottage)
- Proposed Floor Area of Dwelling; 964sqm

7.1.6 The proposed development would result in a cumulative increase of 78% over the original dwelling. It is acknowledged that the figures above are different to those provided by the agent. Notwithstanding this, the agent has included the existing detached outbuilding within the original floorspace. SPG3 states that the floorspace of existing garages and outbuildings within residential curtilages will not be taken into account in assessing the size of the original dwelling nor the proposed percentage increase, unless they were built at the same time and integral with the original dwelling. The LPA have not included the existing detached outbuilding within the existing floorspace calculations as it is a detached structure and was not constructed at the same time as the original dwelling (as evidenced by the submitted historic maps), nor is the outbuilding integral to the host dwelling. The submitted Design and Access Statement states that the outbuilding was constructed during the 1930s, and therefore pre-dates the 1948 Planning Act and should be considered as original. Notwithstanding this, the applicant's submitted evidence including a photograph and map are not dated, and the date on the full version of the submitted map, as requested by the LPA, is not clear. The LPA's evidence suggests that the outbuilding first appears on the 1960 OS map, therefore it is highly likely that the outbuilding was constructed in the 1950s. In addition, the architectural design of the outbuilding differs significantly from the original host dwelling, and this contributes to the evidence that the outbuilding did not form part of the original built form on site as the two buildings are of very different design, character and appearance. Therefore the LPA considers that the floorspace of the outbuilding is only applicable once the outbuilding is proposed to be adjoined to the host dwelling. Even if the existing outbuilding was considered as an extension to the existing building due to its proximity, it would still contribute towards the cumulative increase in floorspace. Therefore, the proposed development would significantly exceed the guidance figure of 40% increase in floorspace that is generally considered to be acceptable within the Metropolitan Green Belt. Notwithstanding this, cumulative floor space increase is only one indication of whether an extension is disproportionate and should not be viewed in isolation but considered against other factors including its bulk, design, massing, height and width.

7.1.7 In this instance, the disproportionate nature of the proposed development would be emphasised by the bulk and massing of the width and depth of the single storey wraparound extensions and raised terraces, including the balustrading, as well as the connection of the existing detached outbuilding to the host dwelling, as it would formally link the dwelling and outbuilding thereby significantly increasing the bulk and massing of the dwelling itself as the outbuilding is currently viewed separately to the dwelling. In addition, the existing detached outbuilding did not form part of the original dwelling, and therefore, by virtue of the bulk, massing and width of the proposed development, it is considered that the proposal would cumulatively with the non-original outbuilding be disproportionate in relation to the original dwelling and would therefore constitute inappropriate development within the Green Belt which would be harmful by definition.

7.1.8 The NPPF paragraph 133 states that one of the essential characteristics of the Green Belts is their openness. SPG3 states that extensions at first floor level or above (except for dormer windows) should not significantly extend the width of the original building or in any other way make the building more prominent by virtue of its bulk and/or design. Increases in ridge height, apparent bulk of roof and/or replacement of a storey at least partially contained in

the existing roof, by a full story will normally be considered to adversely affect the openness of the Green Belt.

- 7.1.9 Paragraph 6.19 of the Design and Access Statement submitted alongside this application outlines a potential Permitted Development scheme. The Design and Access Statement states; *'the expansive building form of the original dwelling would allow for substantial extensions to be constructed under permitted development rights without the need for planning permission. This could incorporate 16m wide single storey extensions on either side of the dwelling. A full width 3m deep two storey rear extension or alternatively an 8m deep single storey rear extension. Roof extensions could add 50 cubic metres of additional volume'*. Paragraph 6.21 of the Design and Access Statement refers to the case of *Mansell v Tonbridge and Malling Borough Council [2017] EWCA Civ 1314* and states that the legal consideration in determining the materiality of a fall-back position was that there had to be a "real prospect" of the development being carried out. There has been no Certificate of Lawfulness application to date to confirm that the works stated within the Design and Access statement would comply with the General Permitted Development Order 2015 (as amended), thus it has not been confirmed that the works could be constructed without planning permission. Furthermore, given the layout of the extensions outlined within the Design and Access Statement, including the long, thin side projection to the eastern flank, it is not considered that it has been demonstrated that there is a reasonable likelihood of the extensions within the Design and Access Statement being implemented. In addition, within the submitted document containing illustrative amended plans, the applicant states *'to add rooms while maintaining symmetry, we will sacrifice the flow of the building and how we interact between rooms. Instead of modernising our home, it will send it further back in time by exaggerating the length of the building into an extreme East and West wing structure'*. Therefore, very limited weight is attached to this fall-back position as it is not considered there is a reasonable likelihood of the extensions under permitted development being implemented.
- 7.1.10 Paragraph 143 sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In relation to very special circumstances paragraph 144 outlines 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 resulting from the proposal, is clearly outweighed by other considerations. It is not considered that there are any Very Special Circumstances to outweigh the identified harm to the Green Belt by virtue of its inappropriateness, harm to openness and harm to the local character.
- 7.1.11 Overall, the proposed development by virtue of its increase in bulk and massing of the wrap around extension and raised terraces and connection of the outbuilding to the principle dwelling, would result in disproportionate additions over and above the size of the original dwelling and would constitute an inappropriate form of development which, by definition, would be harmful to the Green Belt. The NPPF states that any harm to the Green Belt should be given substantial weight. The development would also have a limited impact on the openness of the Green Belt. No very special circumstances exist to outweigh the substantial 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 document (adopted July 2013) and the National Planning Policy Framework.

## 7.2 Impact on Character and Street Scene

- 7.2.1 Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that 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. Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) advises that development should not appear excessively prominent within the streetscene.

Appendix 2 sets out that 'oversized, unattractive and poorly sited additions can result in loss of light and outlook for neighbours and detract from the character and appearance of the original dwelling and streetscene'.

- 7.2.2 Policy CP1 of the Core Strategy 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'. Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not have a significant impact on the visual amenities of an area. In relation to roofs, the Design Criteria set out that crown roofs can exacerbate the depth of properties and often result in an inappropriate bulk and massing and as such they are generally discouraged and more traditional pitched roofs are generally favoured.
- 7.2.3 Appendix 2 of the Development Management Policies document also states that front extensions should not result in loss of light to windows of neighbouring properties nor be excessively prominent in the streetscene and that increases in ridge height will be assessed on their own merits at the time of a planning application and that where roof forms are of a uniform height, style or appearance, it is unlikely that an increase in height will be supported.
- 7.2.4 The proposed side extensions would be significantly set in from the flank boundaries of the application site, and as such, would comply with the spacing of 1.2m set out within Appendix 2 in this regard. In addition, the proposed single storey rear extension would have a depth of 3.2m, and would therefore comply with the guidance depth of 4m set out within Appendix 2 in this regard. In addition, given the depth, width and height of the proposed two storey extensions, it is not considered that the proposed extensions would result in any demonstrable harm to the character or appearance of the host dwelling.
- 7.2.5 The proposed dormer windows would be set in from the flank elevations of the dwelling, and whilst the dormers would not be set down from the maximum ridge or set up from the eaves, given that the hipped roof form of the dwelling is set back from the eaves itself, and the number of dormer windows proposed, it is not considered that the dormer windows would subsume the roof of the dwelling so as to result in demonstrable harm to the character or appearance of the host dwelling.
- 7.2.6 Paragraph 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 7.2.7 The proposed amended plans relate better to the existing building, and reflect the neo-Georgian style of the dwelling. Whilst the proposed extensions would alter the appearance of the building, given that the building is not listed, and the original building would still be readable and would not be subsumed, particularly at first floor or roof level, it is not considered that the proposal would result in demonstrable harm to the character or appearance of the host dwelling. Moreover, given the location of the host dwelling, it is not considered that the proposed extensions would appear unduly prominent within the streetscene of Hyde Lane.
- 7.2.8 Concerns are raised in relation to the loss of the gap between the host dwelling and the outbuilding, as this is used to emphasise the hierarchy of buildings within the application site. It is therefore considered that the two storey side extension and connection of the two buildings would undermine the historical integrity of the site, and would dilute the relationship between the two buildings. Notwithstanding this, given that the extensions have been reduced, and relate better to the original building, it is not considered that the dilution

of the relationship of the dwelling and the outbuilding would result in demonstrable harm so as to justify the refusal of planning permission in this regard.

7.2.9 In summary, given the width, depth and height of the proposed extensions, the reduced number of dormer windows and alterations to the design of the extensions to the rear, it is not considered that the proposal would result in demonstrable harm to the host dwelling so as to justify the refusal of planning permission in this regard and would accord with Policies CP1 and CP12 of the Core Strategy, Policies 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'. Policy DM1 and Appendix 2 of the Development Management Policies document set out that extensions 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 isolated nature of the site, and the separation distance between the proposed extensions and neighbouring properties, it is not considered that the proposed development would result in any harm to neighbouring amenity, nor result in any overlooking.

### 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.

7.4.2 The proposal would result in a seven bedroom dwelling with an adjoining two bedroom outbuilding (one additional bedroom). Appendix 2 of the Development Management Policies document sets out that a nine bedroom dwelling should provide 189sqm of amenity space. The application dwelling is situated within extensive grounds, thus it is considered that adequate amenity space would be retained to serve the proposed extensions and the dwelling.

### 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 application has been submitted with a Biodiversity Checklist which states that no protected species or biodiversity factors will be affected as a result of the application. The Local Planning Authority is not aware of any protected species within the immediate area that would require further assessment. Hertfordshire Ecology were consulted as part of this application and no objections to the proposal have been received. However, given that the development would result in the demolition of the existing dwelling, an informative would be attached to any consent to advise the applicant of what to do should bats be discovered during the course of the development.

### 7.6 Trees and Landscaping

- 7.6.1 Policy DM6 of the DMP 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 application site is not located within a Conservation Area nor are there any protected trees on or near the site. As such it is not considered that the proposed development would result in any harm in this respect.
- 7.7 Highways, Access and Parking
- 7.7.1 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.
- 7.7.2 The proposed development would increase the number of bedrooms on site to nine (including the bedrooms contained within the detached outbuilding), thus the proposal would result in one additional bedroom. Appendix 5 of the Development Management Policies document sets out that a four or more bedroom dwelling should provide onsite parking provision for three vehicles. The existing gravel driveway would be retained to provide onsite parking provision for more than three vehicles. Therefore the proposal is considered to be acceptable in this regard.

## **8 Recommendation**

8.1 That PLANNING PERMISSION BE REFUSED for the following reasons:

- R1 The proposed extensions and raised terraces, and connection of the detached outbuilding to the main dwelling, by virtue of the cumulative increase in floor area, bulk and massing would result in disproportionate additions over and above the size of the original dwelling and would constitute an inappropriate form of development which, by definition, would be harmful to the Green Belt. The development would also have a limited adverse impact on the openness of the Green Belt. No very special circumstances exist to outweigh the substantial 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 document (adopted July 2013) and the National Planning Policy Framework (2019).

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. Whilst the applicant and/or their agent and the Local Planning Authority discussed the scheme during the course of the application, the proposed development as amended fails to comply with the requirements of the Development Plan and does not maintain/improve the economic, social and environmental conditions of the District.