

<b>4/00054/18/FHA</b>	<b>Part Single Storey and First Floor Side Extensions and Internal Alterations.</b>
<b>Site Address</b>	<b>73 Scatterdells Lane, Chipperfield, Kings Langley, WD4 9EU</b>
<b>Applicant</b>	<b>Mrs L Pritchard, 73 Scatterdells Lane</b>
<b>Case Officer</b>	<b>Rachel Marber</b>
<b>Referral to Committee</b>	<b>Contrary views of Chipperfield Parish Council</b>

## 1. Recommendation

1.1 That planning permission be **GRANTED**

## 2. Summary

2.1 The proposed two storey side extension through size, position and design would not adversely impact upon the openness of the Green Belt, visual amenity of the existing dwellinghouse, immediate street scene or the residential amenity of neighbouring residents. The proposal is therefore in accordance with Saved Appendices 3, 5 and 7, Policies 22 and 57 of the Dacorum Local Plan (2004), Policies CS5, CS8, CS11, CS12 and CS24 of the Core Strategy (2013) and the NPPF (2012).

## 3. Site Description

3.1 The application site is located to the North-West side of Scatterdells Lane, Chipperfield. The site comprises of a replacement two storey property granted permission in 2012 (4/01075/12/FUL) located within the Metropolitan Green Belt.

3.2 Scatterdells Lane is characterised by detached dwellinghouses of various architectural styles, heights and separation gaps. However, each property has a generous front garden and regimented build line; this provides the area with an evident verdant aspect character.

## 4. Proposal

4.1 The application seeks permission for a two storey side extension.

## 5. Relevant Planning History

4/01046/16/FHA	SINGLE-STOREY REAR EXTENSION Granted 10/06/2016
4/00121/16/LDP	SINGLE-STOREY REAR EXTENSION Withdrawn 05/04/2016
4/01075/12/FUL	DEMOLITION OF EXISTING BUNGALOW AND CONSTRUCTION OF ONE AND A HALF STOREY DWELLING WITH INTEGRAL GARAGE Granted 22/10/2012
4/00012/12/LDP	FRONT PORCH SINGLE STOREY SIDE AND REAR EXTENSIONS Granted

## **6. Policies**

### 6.1 National Policy Guidance (2012)

National Planning Policy Framework (NPPF)  
National Planning Policy Guidance (NPPG)

### 6.2 Adopted Core Strategy – (2013)

CS5 - The Green Belt  
CS8 - Sustainable Transport  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design

### 6.3 Saved Policies of the Dacorum Borough Local Plan (2004)

22 - Extensions to Dwellings in the Green Belt and the Rural Area  
58 - Private Parking Provision  
Appendix 3 - Layout and Design of Residential Areas  
Appendix 5 - Parking Provision  
Appendix 7 - Small-scale House Extensions

### 6.4 Supplementary Planning Guidance / Documents

Chipperfield Village Design Statement (2001)

## **7. Constraints**

- AREA OF SPECIAL CONTROL FOR ADVERTS
- GREEN BELT

## **8. Representations**

### Consultation responses

8.1 These are reproduced in full at Appendix A

### Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

## **9. Considerations**

9.1 The main issues to consider are:

- Policy and principle in the Green Belt
- Impact on Existing Dwelling and Street Scene

- Impact on Residential Amenity
- Impact on Highway Safety

### Policy and Principle in the Green Belt

9.2 The application site is located within the Metropolitan Green Belt. 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.

9.3 There is the presumption against inappropriate development in the Green Belt, as advised by The National Planning Policy Framework (2012). Inappropriate development is, by definition, harmful to the Green Belt unless a case of special circumstances can be demonstrated which would outweigh this harm.

9.4 Therefore, the main issues to consider in terms of Green Belt policy is to establish the appropriateness of the development, the effect on the purpose of including land in the Green Belt, effect on the openness of the Green Belt and the impact on the visual amenity of the Green Belt. If the development is inappropriate development a case of very special circumstances would need to be put forward to justify its approval.

9.5 Paragraph 89 of The National Planning Policy Framework (NPPF) (2012) states that the construction of new buildings should be regarded as inappropriate in the Green Belt, unless the proposal meets one of a limited number of specific exceptions. One of the exceptions outlined is:

- 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;

9.6 Policy CS5 of the Core Strategy (2013) also summarises that limited extensions to existing buildings would be permitted. Thus, extensions to a residential property in the Green Belt are considered acceptable. The policy analysis therefore, would determine further the proposed extension would result in a disproportionate addition.

9.7 Furthermore, Saved Policy 22 of the Local Plan (2004) requires extensions in the Green Belt to be compact and well-related to the existing building in terms of design, bulk, scale and materials and be limited in size. This policy control would be more tightly exercised at isolated locations and at the edge of settlements. This policy is relatively outdated with more emphasis and weight should be given to the NPPF (2012) and DBC Core Strategy (2013).

9.8 The proposed two storey side extension would increase the floorspace and volume of the existing dwelling. As such, the proposed calculations are as follows:

Replacement Dwelling as original	Previous Rear Extension	Proposed
419.61m <sup>3</sup>	12.96m <sup>3</sup>	182.67m <sup>3</sup> =

		47%
172.6m <sup>2</sup>	40.4m <sup>2</sup>	56.13m <sup>2</sup> = 56%

9.9 Given the above calculations the proposal would remain proportionate in relation to the replacement property. It is important to note that Scatterdells Lane is an area of ribbon development where other properties have undergone extensive extensions, such as Nos. 70, 72, 80. Further, the scale of the proposed extension, including its height, volume and shape, is commensurate with the parent dwelling to which it would connect. It is therefore in scale with its surroundings. As such, the proposed extension would be a proportionate addition which would not result in visual harm to the character and openness of the Green Belt, in accordance with Policy CS5 of the Core Strategy (2013), Saved Policy 22 of the Local Plan (2004) and the NPPF (2012).

#### Impact on Existing Dwelling and Street Scene

9.10 Saved Appendix 7 of the Dacorum Local Plan (2004), Policies CS11, CS12 of the Core Strategy (2013) and the NPPF (2012) all seek to ensure that any new development/alteration respects or improves the character of the surrounding area and adjacent properties in terms of scale, massing, materials, layout, bulk and height.

9.11 The Chipperfield Village Design Statement amplifies policy in the Local Plan and gives guidance on appropriate materials and design, such as using forward facing gables to add interest and avoiding the use of roof lights. This Statement is intended to be complementary to the Local Plan, but, should conflict arise, the provisions of the Core Strategy and NPPF would prevail.

9.12 The proposed single storey side extension would be located immediately behind the existing attached garage and therefore would not be visible from the street scene. The first floor side extension would follow the build line of the single garage and respect the gable roof design, form and height of the parent property.

9.13 The side extension would appear as a subordinate addition in relation to the parent dwelling; being set down 0.5 metres from the properties' ridge height and less than half the width of the parent dwelling. The 1 metre separation distance to the neighbouring boundary would also be retained, maintain the open, suburban character of the area. As such, the proposed side extension would not be of excessive scale and bulk when viewed in relation to the existing property.

9.14 Further, the street scene of Scatterdells Lane contains properties of varying heights, size and architectural styles. As such, the proposed two storey side extension would also not appear incongruous, bulky or dominant in relation to the surrounding street scene.

9.15 As a result the proposed side extension would not result in visual detriment to the character and appearance of the existing dwelling or street scene; accordingly the proposed coheres with the NPPF (2012), Saved Appendix 7 of the Dacorum Local Plan (2004) and Policies CS11 and CS12 of the Core Strategy (2013).

#### Impact on Residential Amenity

9.16 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact on neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.

9.17 The proposed two storey side extension would not breach the 45 degree line as drawn from No. 75 Scatterdells Lane rear or front habitable windows. As such no significant loss of daylight or outlook to neighbouring doors/windows would result from the proposed. It is acknowledged that a loss of daylight received from the roof lights of No. 75 Scatterdells Lane may result however, the detrimental impact of this has been lessened by the amended scheme which removed the end gable. This has reduced the bulk and height of the proposed side extension and increased the separation distance to No. 75 Scatterdells. It is also important to consider that these roof lights function as a secondary source of light to the living area.

9.18 No loss of privacy to neighbouring residents would result from the proposed extension due to no flank elevation windows proposed. The proposed plans have been amended to show roof lights serving the new bathrooms following privacy concerns raised by No. 75.

9.19 Thus, the proposal would not further impact upon the residential amenity and privacy of neighbouring residents. As a result the side extension in regards to residential amenity is acceptable in terms of the NPPF (2012), Saved Appendixes 3 and 7 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013).

#### Impact on Highway Safety

9.20 Policy CS12 of the Core Strategy (2013) seeks to ensure developments have sufficient parking provision. Paragraph 39 of the NPPF (2012) states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles. Policies CS8 of the Core Strategy (2013) and Saved Policy 58 and Appendix 5 of the Local Plan (2004) promote an assessment based upon maximum parking standards.

9.21 The application seeks to increase dwelling bedroom size from a three into four bed property which would require an increase in provision to three off street parking space. The application site has sufficient provision for at least three domestic cars within the area front hardstanding.

9.22 As such, the proposal, would not impact on the safety and operation of the adjacent highway. The proposal meets the requirements of Policies CS8 and CS12 of the Core Strategy (2013) and Saved Policy 58 and Appendix 5 of the Local Plan (2004).

#### CIL

9.23 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is not CIL Liable due to resulting in less than 100m<sup>2</sup> of additional floorspace.

## 10. Conclusions

10.1 The proposed two storey side extension through size, position and design would not adversely impact upon the openness of the Green Belt, visual amenity of the existing dwellinghouse, immediate street scene or the residential amenity of neighbouring residents. The proposal is therefore in accordance with Saved Appendices 3, 5 and 7, Policies 22 and 57 of the Dacorum Local Plan (2004), Policies CS5, CS8, CS11, CS12 and CS24 of the Core Strategy (2013) and the NPPF (2012).

**11. RECOMMENDATION** – That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

No.	Condition
1	<p><b>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</b></p> <p><u>Reason:</u> To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p><b>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</b></p> <p><b>No.3 dated March 2018</b> <b>No.2 dated March 2018</b></p> <p><u>Reason:</u> For the avoidance of doubt and in the interests of proper planning.</p> <p><u>Article 35 Statement</u></p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p>

## Appendix A

### Consultation responses

## Herts Ecology

Viewed on Google Streetmap the view of the property, albeit limited, shows part of a single storey dwelling. The date of this image is unknown although it ties in with aerial photography from around year 2000 showing what appears to be a pitched roof bungalow, with a narrow access drive.

Aerial photography from 2015-16 shows a completely different building at this address, with a multi-dormer dwelling and widened access drive.

In 2012, there were proposals for demolition of the bungalow and construction of a replacement one and a half storey dwelling. I understand that a bat survey was undertaken as part of this application (although I have not seen the bat report myself) and no bats or evidence of bats were found.

As the existing dwelling on site is clearly less than 6 years old, and thus presumably of a well-constructed and well-sealed nature, I do not consider an updated bat survey is needed, nor do I think any other ecological surveys are necessary in this instance.

However, as there is an important record of a bat roost within Scatterdell Lane, I recommend a precautionary approach to the works is taken, and advise the following **Informative** is added to any permission granted:

## Chipperfield Parish Council

### Objection

CPC OBJECT to this application due to apparent contravention of '45 deg rule' in respect of adjoining property number 75. No 73 has previously been extended to 1m from boundary(single storey) but also extended rearwards (single storey) ;this rearward extension is beyond the rear building line of No 75.The proposed 2 storey extension it to the extended rear building line creating the appearance of excessive scale and bulk.

## Amended Plans

### Objection

CPC objects to this amended application due to excessive scale and bulk

## **Appendix B**

### **Neighbour notification/site notice responses**

#### Objections

<b>Address:</b> 75 Scatterdells Lane	<b>Comments:</b> Our objections are as follows:  The Block Plan shows our property, No. 75, as being 4 metres away from the boundary whereas our property is
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	<p>in fact only one metre from the boundary.</p> <p>The consequence of this error is that the proposed SW Elevation will significantly overshadow our property along this flank, especially as our property is single storey facing the proposed 2 storey extension. Furthermore with light entering our house through rooflights in our NE Elevation, the proposed extension will also substantially block light from entering our main living area.</p> <p>The proposed inclusion of windows to the first floor ensuite bathrooms, although fitted with obscured glass, would still have an opening allowing a direct view into our living room.</p> <p>To the rear, the proposed 2 storey extension would have a substantial negative impact on the light entering the rear of our property, not to mention the further loss of privacy from having a neighbouring bedroom overlooking our rear garden.</p>
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<p><b>Address:</b> 76 Scatterdells Lane</p>	<p><b>Comments:</b> I would like to support Number 75 in their objections to the plans for Number 73 which do not seem to take into account the effect that the loss of light will have on the adjacent property.</p> <p>A similar application has been made for numerous double storey extensions to Number 74, which would also result in a significant loss of light to our property if approved. This would be despite our objections that we believe the plans for Number 74 are not compliant with the Council's 45 degree rule.</p>
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