

4/00611/19/FHA	CONSTRUCTION OF 1.5 STOREY SIDE/FRONT EXTENSION, DEMOLITION OF EXISTING REAR SINGLE STOREY CONSERVATORY. REPLACEMENT SINGLE STOREY REAR EXTENSION AND FRONT HIP TO GABLE ROOF EXTENSION. INSTALLATION OF REAR ROOF WINDOWS.
Site Address	74 SCATTERDELLS LANE, CHIPPERFIELD, KINGS LANGLEY, WD4 9EX
Applicant	Mr A Doouss, 74 Scatterdells Lane
Case Officer	Sally Robbins
Referral to Committee	Contrary view of Parish Council

1. Recommendation

1.1 That planning permission be **GRANTED**.

2. Summary

2.1 The site is located within the Green Belt, wherein proportionate extensions to existing buildings are acceptable, in accordance with Core Strategy (2013) Policy CS5 and paragraph 145 c) of the NPPF (2019). The proposed design, scale and finish of the extensions are considered to respect the original building and surrounding properties, as well as the residential amenity of surrounding units, in accordance with Core Strategy (2013) Policies CS11 and CS12, Saved Appendix 7 of the Local Plan (2004).

3. Site Description

3.1 The application site is located on the southeast side of Scatterdells Lane in Chipperfield. The site comprises a single storey detached dwellinghouse in an elongated plot. The site is located within the Green Belt and the surrounding area is rural in character with Chipperfield village centre lying directly to the south. The site itself lies just outside of the designated village boundary. The residential character of Scatterdells Lane comprises a varied mix of mostly detached dwellinghouses in a range of architectural styles and sizes.

4. Proposal

4.1 The application seeks full planning permission for the construction of a 1.5 storey side/front extension, demolition of the existing rear single storey conservatory, replacement single storey rear extension, front hip to gable roof extension and installation of rear roof windows.

5. Relevant Planning History

5.1 The application is an amended scheme following the refusal of a similar scheme in February 2018 (ref. 4/02491/17/FHA). The refused scheme was referred to Development Management Committee on 15 February 2018 due to the contrary view of Chipperfield Parish Council. The application was refused for the following reason:

'The proposed development would be overbearing and cause significant harm to

the residential amenity of adjoining properties in terms of loss of light due to its size, contrary to Policy CS12 c) of the Core Strategy (2013). The proposal would result in disproportionate additions over and above the size of the original dwelling, contrary to paragraph 89 of the NPPF and Policy CS5 c) of the Core Strategy (2013).

The proposed front, side and rear extension; loft conversion with crown roof and front gable extension are not considered limited and will significantly increase the bulk, massing, prominence of the property thereby failing to comply with Policies CS5 and CS12 of the Core Strategy (2013) and the National Planning Policy Framework (2012).'

5.2 The scheme has subsequently been amended to address these issues, specifically the bulk has been reduced to the rear so that the rear extension is single storey only. The proposed front elevation remains unchanged from the previous scheme.

4/02491/17/FHA FRONT, SIDE AND REAR EXTENSION. LOFT CONVERSION WITH CROWN
ROOF AND FRONT GABLE EXTENSION
Refused
19/02/2018

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy

CS5, CS11, CS12

6.3 Saved Policies of the Dacorum Borough Local Plan

Policy 22
Appendix 3, 5 & 7

6.4 Supplementary Planning Guidance / Documents

- Accessibility Zones for the Application of car Parking Standards (July 2002)

7. Constraints

- 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

Main issues

9.1 The main issues to consider are:

- Policy and Principle - Impact on Green Belt
- Layout, Design & Scale
- Impact on Residential Amenity
- Other

Policy and Principle – Impact on Green Belt

9.2 The application site is located within the Green Belt. Core Strategy (2013) Policy CS5 aims to protect the character and openness of the Green Belt and states that small-scale development will be permitted, such as limited extensions to existing buildings, provided that it has no significant impact on the character and appearance of the countryside. Paragraph 145 of the National Planning Policy Framework (NPPF) (2019) states that one of the exceptions to inappropriate development in the Green Belt 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. Regard is also given to Saved Policy 22 of the Local Plan (2004), which requires an assessment based on the increase in floor area, allowing for a 30% increase. Policy 22 is only partly consistent with the more recent NPPF and Core Strategy and as such Policy 22 is given less weight. The main issue is whether the proposed extension is 'limited' and 'proportionate' and whether it would have a significant impact on the character and appearance of the countryside.

9.3 Although percentage increases are no longer typically used as a limiting factor in establishing whether an extension is acceptable in principle, these measurements do provide a good starting point in an assessment of the proportionality of a development. The existing floor area is 324 sqm and, as a result of the extensions, the floor area would be 462 sqm, which equates to an increase of 42%. The existing volume of the building is 996 cubic m and the proposed volume would be 1108 cubic m, which would be an increase of 11%.

9.4 Whilst the increase in floor area exceeds the threshold set out in Saved Policy 22, as mentioned above less weight is given to this than an assessment in terms of proportionality as defined in the NPPF. Furthermore, there would be no increase in maximum roof height and the majority of the increase in floor area would be comprised within the roof space. It is considered that the volume increase gives a better indication of the proportionality than floor area measurements.

9.5 Planning permission has been granted for similar extensions to the proposed scheme. Examples include: 102 Scatterdells Lane (ref. 4/04032/15/FHA) - floor area increase of 51% and volume increase of 60%; 70 Scatterdells Lane (ref. 4/01064/15/FHA) – floor area increase of 65%; 72 Scatterdells Lane (ref.

4/00584/16/FHA) – floor area increase of 88%; 80 Scatterdells Lane (ref. 4/03996/15/FHA) – floor area increase of 46%; 96 Scatterdells Lane (ref. 4/00026/13/FHA) – floor area increase of 50%.

9.6 Taking all of the above into account, it is considered that the proposed development would constitute a limited extension (in accordance with Policy CS5) and would not result in disproportionate additions over and above the size of the original dwelling (in accordance with the NPPF). Additionally it is considered that, subject to the below assessment of design and finish, the proposed development will not have a significant impact on the character and appearance of the countryside, to accord with Policy CS5. The proposal is therefore acceptable in principle, subject to the considerations below.

Layout, Design & Scale

9.7 Core Strategy (2013) Policies CS11 and CS12 and Saved Appendix 7 of the Local Plan (2004) seek to ensure that new development within settlements respects the typical density in the area, integrates with the streetscape character and respects adjoining properties. Furthermore, chapter 12 of the NPPF (2019) emphasises the importance of good design and, in particular, paragraph 127 states that planning decisions should ensure that developments are visually attractive as a result of good architecture and layout.

9.8 The surrounding area is varied in terms of dwelling size and architectural features, with many properties showing evidence of extension/alteration. There are also examples of prominent gable ends facing the road, for example numbers 34, 36, 46 and 75 Scatterdells Lane. The proposed extensions would be visible from within the street scene, particularly the roof alterations and side extension.

9.9 The proposed side extension would be set back from the boundary with 72 Scatterdells Lane by 1m. As a result of the alterations proposed, there would be two front gable projections measuring 2.3m to eaves and 5.9m to the ridge. There would be no increase in the overall height of the main roof.

9.10 To the rear the existing sun room would be demolished and replaced by a full width single storey rear extension with a flat roof measuring 3.2m high comprising three roof lights. There would also be additional roof lights and a dormer window on the rear elevation.

9.11 The proposed extensions would be finished in materials to match the parent dwelling, including red facing brickwork, red roof tiles and brown window and door frames.

9.12 It is considered that the design, scale and form of the proposed extensions will not have a significant impact on the character and appearance of the existing building or surrounding area. There would be sufficient space around the dwelling to avoid a cramped appearance and the sympathetic design would help it to integrate with the surrounding area. The proposal complies with Core Strategy (2013) Policies CS11 and CS12, Saved Appendix 7 of the Local Plan (2004) and the NPPF (2019) in terms of visual impact.

Impact on Residential Amenity

9.13 Core Strategy (2013) Policy CS12 and Saved Appendix 3 of the Local Plan (2004) seek to preserve residential amenity of surrounding properties. Furthermore, paragraph 127 of the NPPF (2019) states that planning decisions should ensure that developments create places that have a high standard of amenity for existing and future users.

9.14 The proposed extensions would result in an increase in bulk at roof level, which would be visible from the occupants of both adjoining properties. In relation to 76 Scatterdells Lane, the proposed front extension would be in line with the front elevation of no. 74. There are two side facing ground floor windows on the southwest side elevation of no. 76, which are secondary windows serving an open plan living/dining area that also has windows on the front and rear elevations. No. 76 has recently been granted a Lawful Development Certificate for a proposed single storey rear extension (ref. 4/00067/19/LDP), however the internal layout would remain open plan with adequate light provision from the front and rear elevations. As such there are no concerns that the proposed extensions for no. 74 would have a significant impact with regards to light provision or being visually overbearing to no. 76. No additional windows are proposed on the northeast elevation of no. 74 and as such there are no concerns regarding loss of privacy or overlooking.

9.15 Turning to 72 Scatterdells Lane, the proposed side extension would project from the existing side elevation by 3.1m. A gap of 1m would be retained from the common boundary. One first floor side facing window is proposed for no. 74, which would be obscure glazed. The front elevation of the proposal would be set forwards of the front elevation of no. 72 by approximately 6m. However a separation distance of 5m at first floor level would be retained. As such, there are no primary habitable windows on the front elevation of no. 72 that would be detrimentally impacted upon with regards to light provision. Additionally, there are no side facing windows on the northeast elevation of no. 72.

9.16 There are no concerns with regards to the proposed extensions to the rear of the dwelling. The single storey rear extension would be modest in scale and height and will not cause a significant loss of light or amenity to the adjoining properties.

9.17 Taking all of the above into account, whilst visible from neighbouring residential units, it is not considered that the proposed extension would have a significant impact in terms of loss of privacy, overlooking, loss of light or visual intrusion. The proposal complies with Core Strategy (2013) Policy CS12, Saved Appendix 3 of the Local Plan (2004) and the NPPF (2019) with regards to residential amenity.

Impact on Trees and Landscaping

9.18 There are no trees of significance that will be removed as a result of the proposed extensions. Neighbours have raised concerns regarding the presence of Japanese Knotweed. However, this is an existing condition affecting the site and would not be reasonable to be remedied by the current application, additionally it is a matter covered by separate legislation (Environmental Protection Act 1990 and Wildlife and Countryside Act 1981), which controls the disposal and spread of soil or plant material contaminated with non-native and invasive plants like Japanese knotweed. As such an informative shall be included if planning permission is granted.

Other Material Planning Considerations

Response to Neighbour comments

9.19 A representation was received requesting that the first floor side facing window is obscure glazed. It is confirmed that the plans do specify obscure glazing for all side facing windows.

9.20 A letter of objection was received regarding: the presence of Japanese Knotweed; the proposed front gable would be dominant and overbearing, would impact upon light provision; resubmitted plans do not address the objections raised on the previous refusal; inconsistencies between application description and plans. The plans did show some minor inconsistencies, including the presence of a door on the side elevation that has recently been infilled and the presence of a ground floor window on the elevations that was not on the floor plans. These minor amendments have been addressed with a set of updated plans. Additionally, the application description has been updated accordingly. The other concerns raised by this neighbour have been addressed above.

Response to Parish Council objection

9.21 Chipperfield Parish Council raised the following objection, "*The proposed development would be overbearing and cause significant harm to the residential amenity of adjoining properties. The proposed front extension will significantly increase the bulk, massing, prominence of the property caused by the dominant double gables. Should the scheme be amended to two hip rather than two gables, CPC would be willing to withdraw the objection.*"

9.22 As outlined above there are other examples within the vicinity of gable-ends facing the street, such as numbers 34, 36, 46 and 75 Scatterdells Lane. Additionally, paragraph 130 of the NPPF (2019) states that where the design of a development accords with clear expectations in plan policies (e.g. Policy CS12 – Quality of Site Design), design should not be used by the decision-maker as a valid reason to object to development. The above assessment carried out under the sub-heading 'Layout, Design & Scale', demonstrates that the proposed development complies with Policy CS12. Furthermore, the impact of the proposal in terms of residential amenity has been addressed above and found that there will not be a significant detrimental impact.

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 CIL Liable (over 100 sqm of additional floorspace).

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

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: 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>The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.</p> <p>Reason: To ensure a satisfactory appearance to the development, in accordance with Core Strategy (2013) Policy CS12.</p>
3	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>LOCATION PLAN & BLOCK PLAN 74SCLN102 (Proposed Ground Floor Plan) 74SCLN104 (Proposed First Floor Plan) 74SCLN106 (Proposed Roof Plan) 74SCLN107 (Existing & Proposed Front Elevation) 74SCLN108 (Existing & Proposed Rear Elevation) 74SCLN109 Revision A (Existing & Proposed Left Side Elevation) 74SCLN110 Revision A (Existing & Proposed Right Side Elevation) 74SCLN111 (Existing and Proposed Site Plan)</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35 Statement</p> <p>Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.</p> <p>Japanese Knotweed Informative</p> <p>The applicant is advised that the removal, disposal and spread of soil or plant material contaminated with non-native and invasive plant species, including Japanese knotweed, is set out under the Environmental Protection Act 1990 and Wildlife and Countryside Act 1981. It is an offence to plant or cause Japanese knotweed to spread under the Wildlife and Countryside Act 1981 and all waste containing Japanese knotweed comes under the control of Part II of the Environmental Protection Act 1990.</p>

Appendix A

Consultation responses

1. Chipperfield Parish Council:

CPC: OBJECTION The proposed development would be overbearing and cause significant harm to the residential amenity of adjoining properties. The proposed front extension will significantly increase the bulk, massing, prominence of the property caused by the dominant double gables. Should the scheme be amended to two hip rather than two gables, CPC would be willing to withdraw the objection

Appendix B

Neighbour notification/site notice responses

Comments

Scatterdells Lane:

Have no issue with extension but would like a frosted top side window as this could look into our bathroom as will be close to boundary.

Objections

Scatterdells Lane:

Letter of objection received regarding the following:

Japanese Knotweed

Propose front gable would be dominant and overbearing, would impact upon light provision

Resubmitted plans do not address the objections raised on the previous refusal
Inconsistencies between application description and plans