

Agenda Item 7i

PLANNING (DEVELOPMENT CONTROL) COMMITTEE SOUTH

1st MARCH 2010

1.	REGISTERED NUMBER:	5/2009/2450/FULL
	APPLICANT:	Mr Philip Bignell
	PROPOSAL:	Part single, part two storey side extension including rear dormer window and rear rooflight (resubmission following refusal of 5/09/2017)
	SITE:	7 Lynch Court Princess Diana Drive St Albans AL4 0FG
	DATE OF APPLICATION:	05/01/2010
	HISTORIC BUILDING GRADE:	None
	CONSERVATION AREA:	No
	DISTRICT PLAN REVIEW:	Metropolitan Green Belt
<u>RECOMMENDATION</u>		REFUSE

Background

Site and Surroundings

No. 7 Lynch Court is a two storey end of terrace dwelling with attached single storey garage to the side, and is located on the northern side of Princess Diana Drive. There is currently a gap of some 4.5m between number 44 Princess Diana Drive at first floor level which provides views through to open wooded public space to the rear of the property. The site is located within the Metropolitan Green Belt.

The Proposal

Planning permission is sought for a part single, part two storey side extension that would measure a maximum of 10.3m in depth by 2.75m in width, and would continue the existing ridge at a height of 8.7m. A front porch canopy is also proposed between the side extension and the existing single storey front projection.

A rear dormer window measuring 2m in width by 2m in depth, one rear, two front and one side rooflights are also proposed. It is also proposed to enlarge the ground floor rear door opening to double French doors.

Changes made to 5/09/2017:

- Roof angle changed to be same as the existing property.
- Proposed rear rooflight reduced in size.
- Introduction of two front and one side rooflight
- Window on rear dormer raised nearer to its eave height

Relevant Planning Policy

St. Albans District Local Plan Review 1994:

Policy 1 Metropolitan Green Belt

Policy 13 Extensions or Replacement of Dwellings in the Green Belt

Policy 34 Highways Considerations in Development Control

Policy 39 Parking Standards, General Requirements

Policy 40 Residential Development Parking Standards

Policy 69 General Design and Layout

Policy 72 Extensions in Residential Area

Supplementary Planning Guidance – Green Belts, 2004

Planning Policy Guidance Note 2

Relevant Planning History

5/09/2017 - Part single, part two storey side extension including rear dormer window and rear rooflight. Refused for the following reasons:

The application site is located in the Metropolitan Green Belt wherein there is strict control over the extension and alteration of existing dwellinghouses. The proposal, by reason of its size, scale, mass, bulk, siting, and introduction of a dormer window and large rooflight on the rear elevation which would be highly visible from public open space, would amount to a disproportionate addition over the size of the original dwellinghouse, and would have a detrimental impact on the open character and visual amenity of the Green Belt, and would be out of keeping with the character and appearance of the existing dwelling, row of terraced dwellings in Lynch Court and the surrounding. The proposal is contrary to the aims of Policies 1 (Metropolitan Green Belt), 13 (Extensions or Replacement of Dwellings in the Green Belt), Policy 69 (General Design and Layout), Policy 72 (Extensions in Residential Areas) of the St. Albans District Local Plan Review 1994, and the aims of PPG2.

5/01/2169 - Demolition of existing and erection of 2 two bedroom and 5 three bedroom terraced houses. Granted.

Reason for Call-In for Determination by Committee

The application was called in for determination by Committee by Councillor Chris Brazier on 20/01/10 if the officer was minded to REFUSE permission for the following reasons:

Urban area, so no impact on the Green Belt and is in keeping with neighbouring properties.

Representations

Colney Heath Parish Council

No objections

Adjoining Occupiers

No's 4, 5, 6 Lynch Court, Princess Diana Drive, 44, 48 Princess Diana Drive, 1, 2, 3 Cairns Close, St Albans were notified on 15/01/10. No representations were received at the time of writing this report.

Discussion

The main issues for consideration are changes made to the previously refused application and whether these have addressed the reasons for refusal of the previous application, Green Belt, design, Impact on neighbours, parking and highways matters.

Green Belt

The site was part of the Highfield Hospital redevelopment and is located in the Metropolitan Green Belt. Policies 1, 13 and the SPG, 2004 (Green Belts) of the Local Plan aim to protect the open character and visual amenity of such Green Belt locations as does national guidance contained within PPG2.

The Council's SPG (Green Belts, 2004) recommends maximum limits of between 20% - 40% increase in floorspace and an increase of between 90 to 180 cubic metres in volume over the original dwelling. The proposal would lead to a 66% increase in floorspace, including taking into account the additional habitable space created in the roof space, and also an increase of some 125 cubic metres in volume. The floorspace calculation significantly exceeds the maximum limitation, although falls moderately within the volume increase threshold.

The floorspace and volume requirements are limits to be used in conjunction with other criteria. The maximum 40% and 180 cubic metre figures are reserved only for developments which perform well against other criteria which test the impact of a proposal on the openness of the Green Belt. The criteria in the Council's SPG mainly refer to the type, siting, visibility from public viewpoints, and suggest that two storey side extensions can often have a detrimental impact on the open character of the Green Belt.

The majority of the proposed extensions in this application are two storey and sited to the side of the property. This would significantly reduce the gap between the application property and number 44 Princess Diana Drive at first floor level. This gap provides important open views through to a wooded public open space to the rear of the property (next to a car park) which would be significantly closed by the proposed two storey side extension. It is therefore considered that the proposed development and would have a detrimental impact on the open character of this part of the Green Belt. The proposal is therefore is contrary to Policy 13 of the District Local Plan Review, 1994 in this regard.

The same extensions would also be seen from the public open space to the rear of the property mentioned previously, as would the proposed rear dormer window and rooflights. Whilst the impact of the proposal on the open character of the Green Belt has already been discussed, PPG2 also comments on the impact of proposals on the visual amenity of the Green Belt. Given the harm caused to the character and appearance of the existing property and locality, it is considered that this part of the proposal would also have a detrimental impact on the visual amenity of the Green Belt for similar reasons, and is contrary to such national government advice.

Furthermore, it is important to note that the proposal would also lead to the creation of a second storey. Whilst this would not necessarily have a direct impact on the open character of the Green Belt, creation of an additional level of accommodation would result in a visual impression of increased activity and greater intensity of use of the dwelling, which would be all the more apparent at times when the lights are on within that area. Whilst the proposed rooflights would not have an adverse impact in design terms in isolation, it is considered that the cumulative impact of the rooflights and rear dormer window would lead to a cluttering effect within the roof space and would contribute visually to the disproportionate additions proposed to the dwelling which would also injure the visual amenity of the Green Belt. Consequently, it is considered that this is inappropriate development, harmful by definition to the Green Belt, which also visually harms this part of the Green Belt.

The above assessment suggests that the proposal performs poorly against the criteria in the SPG and would be disproportionate additions over the original dwelling resulting in a building of a significantly larger and different character, thus being inappropriate development in and having a detrimental impact on the open character of the Green Belt and is therefore contrary to Policies 1 and 13 of the District Local Plan Review, 1994. Although the change in roof angle and reduced size of the rear rooflight has removed a minimal amount of bulk and glazing from the proposed roof, it is considered that this does little to address the concerns raised and that the proposal is essentially the same as that previously refused.

It is important to note that the Design and Access Statement comments that the proposed two storey side extension would '*enhance the symmetrical appearance of the Lynch Court development*'. It is considered that this argument would not justify the harm caused to the open character of the Green Belt as outlined above. For the avoidance of doubt, the opposite end of Lynch Court represents two dwellings and has not been extended in the past.

Design

Whilst it is considered that the proposed single storey front elements of the scheme are acceptable in isolation, there are concerns relating to other design characteristics of the proposal and subsequent impact on the character and appearance of the existing property, street scene and general locality.

The proposed two storey side extension would consist of a continuation of the main ridge height and has now been amended such that the roof angle matches that of the original dwelling. Previous concerns regarding the roof form have therefore been addressed by the current scheme.

The large rear facing rooflight previously proposed has been reduced in size and is now considered acceptable. The current scheme would also introduce two front and one side additional roof lights when compared to the previous scheme. Although there were no rooflights visible to neighbouring properties at the time of the Case Officers site visit, given their small size and/or even spacing, it is considered that there would not be a harmful impact on the character and appearance of the existing property in isolation.

However, the proposed rear dormer window has not been removed from the scheme which formed part of the previous reason for refusal. Whilst the submitted Design and Access statement comments that dormer windows are 'a feature on a number of properties in the area', this was not apparent at the time of the Case Officers site visit. No dormer windows can be seen from the various vantage points surrounding the site and a search of aerial photographs confirms this. The proposed dormer window would be a highly visible, incongruous feature that would be out of keeping with the existing dwelling itself, terraced block which is Lynch Court and the surrounding area in general terms.

The dormer window would sit uneasily within the roof slope, and given its siting to the side of the property, and the rooflight would dominate the rear elevation of the property. Whilst it is accepted that the site is not within a Conservation Area, the rear elevations of these terraced properties are highly visible from open public space to the rear of the property. In addition to the proposed rooflights, it is considered that this part of the proposal would lead to a cluttering effect within the roof space, to the detriment of the character and appearance of the existing property and the visual amenity of the wider locality. The current proposal fails to address the previous concerns in this regard and therefore remains contrary to Policy 69 and 72 of the District Local Plan Review, 1994.

Impact on neighbours

Policy 72 of the District Local Plan Review, 1994, states that two storey extensions shall not normally infringe the 45 degree visibility line of a neighbouring property's ground floor windows. The proposed two storey side extension would not breach any 45 degree sight line taken from the ground (or first floor) front or rear windows of number 44 Princess Diana Drive. Whilst a side rooflight which would face towards that neighbouring property is now proposed, this window could be conditioned to be obscurely glazed and non-opening if the application was approved. As such it is considered that the proposal would not have a significant impact on the amount of light or privacy currently enjoyed by the occupants of that neighbouring property, and is compliant with Policy 72 in that regard.

Given that the proposal would not extend forward or rearward at first floor level beyond the main front and rear walls, it is also considered that it would not have a significant impact on the amenity enjoyed by the occupants of number 6 Lynch Court or number 44 Princess Diana Drive. The proposed rear dormer window would also face down the rear garden and would not overlook those adjacent properties. The proposed ground floor side windows facing number 44 would be screened by the existing close boarded fence.

The proposal would not have a significant impact on any other neighbouring property within the locality and is considered to be compliant with Policy 72 of the District Local Plan Review, 1994 in terms of its impact on neighbouring properties.

Parking standards and Highway Safety

No alteration to the existing access is proposed. As such, it is considered that the proposal would not have any impact on highway safety and it compliant with Policy 34 of the District Local Plan Review, 1994 in this regard.

Policy 40 of the District Local Plan Review, 1994, recommends a maximum of 3 parking spaces be provided for a four bedroom dwelling. Whilst the existing single garage to the side of the property would be lost as a result of the development, two garage spaces and one space in front of the house would remain. Whilst the standards outlined in Policy 40 are maximum values, a total of 3 parking spaces would be provided in any case and sufficient off street parking would therefore be provided.

Comment on District Councillor Concern(s)

Whilst the Case Officers assessment has found that there would not be an adverse impact on the privacy or amenity of adjoining occupiers, it is considered that significant harm would be caused to the character and appearance of the existing property, terraced block, surrounding area. The proposed extension, by reason of its size, scale, mass, bulk, siting, would amount to a disproportionate addition over the size of the original dwellinghouse, and would have a detrimental impact on the open character and visual amenity of the Green Belt. The proposal is considered to be contrary to Policies 1, 13, 69 and 72 of the District Local Plan Review, 1994 and the aims of PPG2. The application is essentially the same and has not sufficiently addressed the previous reasons for refusal. It is therefore recommended that the application should be refused.

Recommendation - REFUSE

Reasons:

1. The application site is located in the Metropolitan Green Belt wherein there is strict control over the extension and alteration of existing dwellinghouses. The proposed extension, by reason of its size, scale, mass, bulk, siting, would amount to a disproportionate addition over the size of the original dwellinghouse, and would have a detrimental impact on the open character and visual amenity of the Green Belt. The introduction of a highly visible (from public open space) rear dormer window, would be out of keeping with the character and appearance of the existing dwelling, row of terraced dwellings in Lynch Court and the surrounding visual amenity of the area. The proposal is contrary to the aims of Policies 1 (Metropolitan Green Belt), 13 (Extensions or Replacement of Dwellings in the Green Belt), Policy 69 (General Design and Layout), Policy 72 (Extensions in Residential Areas) of the St. Albans District Local Plan Review 1994, and the aims of PPG2.

Informatives:

1. This determination was based on the following drawings and information: Design and Access Statement, 14_P_02, 14_P_01, 14_P_302 Rev.A, 14_P_203 Rev.A, 14_P_202, 14_P_300 Rev.A, 14_P_301 Rev.A, 14_P_200, 14_P_201 Rev.A, 14_P_400 Rev.A, 14_E_102, 14_E_100, 14_E_101 (received on 15/12/09).

Drawing Nos: Design and access statement, 14_P_02, CR/TP/05, 14_P_01, 14_P_203, 14_E_102, 14_P_400 A, 14_E_101, 14_E_100, 14_P_301, 14_P_300 A, 14_P_302 A, 14_P_202 A, 14_P_201A, 14_P_200

O.S. Grid Reference: 517517.03 206697.33

Decision Notice Code: R1

Case Officer: Paul Keen

Link to online plans and information:

<http://www.stalbans.gov.uk/environment-and-planning/planning/planning-applications/planning-applications-search.aspx>