

SITE PLAN ATTACHED

05. THE WHITE HOUSE MAGPIE LANE LITTLE WARLEY ESSEX CM13 3EA

**TWO STOREY SIDE EXTENSION, SINGLE STOREY FRONT EXTENSION
WITH OPEN PORCH.**

APPLICATION NO: 16/00250/FUL

WARD	Warley	8/13 WEEK DATE	11.04.2016
PARISH		POLICIES	NPPF NPPG CP1 GB1 GB2
CASE OFFICER	Mr Jonathan Binks	01277 312500	
Drawing no(s) relevant to this decision:	D2528/EP/01; D2528/PA/101/C;		

This application was referred by former Ward Cllr David Tee for consideration by the Committee. The reason(s) are as follows:

Reasons surrounding design, footprint, visibility and lack of objections.

1. Proposals

Planning permission is sought for a two storey side extension, single storey front extension with an open porch.

The two storey enlargement would extend 3.88 metres beyond the side elevation of the dwelling, would have a height of 7.9 metres and an eaves height of 5.3 metres. The single storey front enlargement would extend 1.94 metres beyond the front wall of the dwelling and would have a height of 3.8 metres.

The application site falls within the Metropolitan Green Belt and will be assessed for compliance with the relevant local and national policies.

2. Policy Context

The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and is now a material consideration in planning decisions. The weight to be given to it will be a matter for the decision makers planning judgement in each particular case. The Framework replaces all the national planning guidance documents as stated in the NPPF, including Planning Policy Guidance Notes and Planning Policy Statements. Notwithstanding this, the NPPF granted a one year period of grace for existing adopted Local Plan policies which has now ended, but, the NPPF advises that following this 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

On the 6th March 2014, the government published Planning Policy Guidance (NPPG) which, along with the NPPF, is a material consideration in the determination of planning application. The NPPGs have been taken into account, where relevant in the following assessment.

CP1 - General Development Criteria

Policy CP1 of the local plan ensures development does not have a detrimental impact on the visual amenity or character and appearance of the area. Development should not impact on the general amenities of nearby occupiers, should be of a high standard of design and layout. The development should have satisfactory parking arrangements and not give rise to adverse highway conditions of safety concerns. Development should not have a detrimental impact on the environment due to the release of pollutants to land, air and water.

GB1 - New Development in the Green Belt

Within the Green Belt planning permission will not be given except in very special circumstances, for the construction of new buildings, change of use of the land or extensions to new buildings other than those appropriate to Green Belt.

GB2 - Development Criteria - Green Belt

When considering proposals for development in the Green Belt, the Local Planning Authority will need to be satisfied they do not conflict with the purposes of including land in the Green Belt and do not harm the openness of the Green Belt. The precedent created by allowing even an individually innocuous or well-merited proposal which cumulatively would undermine Green Belt will be taken into account.

3. Relevant History

- : - None

4. Neighbour Responses

One neighbour representation letter was sent to the surrounding property and a site notice was displayed within Magpie Lane, no responses were received.

5. Consultation Responses

- : None

6. Summary of Issues

Key Considerations

Key considerations which form part of this application are the principle of development in the Green Belt and the impact on the openness of the Green Belt, design, character and appearance, and any impact on the amenity of neighbouring occupiers.

The Site and it's Surroundings

The application dwelling forms one half of a pair of semi-detached properties, set within a rural Green Belt location. The adjoining dwelling at No.1 has been extended to the side at both two storey and single storey.

Principle of Development in the Green Belt

Chapter 9 of the NPPF states the government attaches great importance to Green Belts. 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. The five purposes of the Green Belt are: -to check the unrestricted sprawl of large built-up areas; -to prevent neighbouring towns merging into one another; -to assist in safeguarding the countryside from encroachment; -to preserve the setting and special character of historic towns; and - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The policies relating to Green Belt within the Brentwood Replacement Local Plan 2005 are GB1 and GB2 they state that planning permission for new development will not be given, except in very special circumstances, for changes of use of land or the construction of new buildings or extensions of existing buildings for purposes other than those appropriate to a Green Belt. Although adopted some time before the Framework, these Green Belt policies are considered to be compliant with the Framework and therefore weight should be attached to them.

Paragraph 89 of the NPPF states: 'A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. 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'.

The NPPF does not define how proportionality should be measured, however it is reasonable to assess increases in footprint, volume, bulk and mass and their relation to the original dwelling as a consideration.

The dwelling at The White House has a single storey enlargement which projects beyond the southern side elevation (to be replaced), although this appears to be a later addition to the host dwelling, there is no evidence within the planning history to suggest this is not original in planning terms, with the extension shown as existing on all available drawings. For the purposes of the Green Belt assessment, the building as existing is considered to be original.

The proposal seeks to extend the building to the side at two storey level, with a small front projection and to the front at single storey level, with part of the front projection forming an open canopy. Section 336 of the Town and Country Planning Act 1990 states a "building" includes any structure or erection, and any part of a building, as so defined, but does not include plant or machinery comprised in a building;. For the purposes of this application the canopy is considered to be part of the building and will be included in the Green Belt assessment.

The proposal would add a footprint of 42.72 square metres (61.15%) to the 69.87 square metre footprint of the original building and would add 311.85 cubic metres (79%) in volume to an original building of 394.52 cubic metres. The combination of the 61.15% increase in footprint and the 79% volume increase is considered to result in a disproportionate addition to the original building and does not form an exception to inappropriate development within the Green Belt as identified by paragraph 89 of the NPPF. By policy definition the proposal would be harmful to the openness of the Green Belt. The identified harm to the openness of the Green Belt additionally conflicts with policies GB1 and GB2 of the local plan.

The developer has not put forward any considerations which amount to 'very special circumstances' outweighing the harm to the openness of the Green Belt, it is considered that the desire for additional habitable accommodation does not amount to a 'very special circumstance' which would outweigh the harm to the openness of the Green Belt.

The proposal is considered to conflict with chapter 9 of the NPPF and policies GB1 and GB2 of the local plan.

Design, Character and Appearance

The application dwelling forms one half of a pair of semi-detached properties which are set within a rural location of Warley. The proposal would be screened from view of the main thoroughfare of Childerditch Lane but would be visible from Childerditch Hall Drive.

The proposal represents a two storey side extension with a gable fronted projection and would extend up to the ridge of the existing roof. The proposal includes a single storey front extension projecting 1.94 metres beyond the front wall. The other half of the semi-detached properties has been extended at two storey level to the side however this example is a smaller and more subsidiary feature than that proposed at the White House.

The proposal by way of its size and scale would represent a dominant addition, of a poor design which would unbalance a pair of semi-detached properties causing harm to the character and appearance of the area. The enlargement extending up to the ridge of the existing roof and the gable front design which projects beyond the existing front elevation contributes to the poor design and large bulk of enlargements. The single storey front extension exceeds the limits of the 1.3 metres as identified within the adopted design guidance forming an appendix of the local plan. The neighbouring property at No.1 has not been extended to the front and the proposed front projecting element would contribute to the dominant features of the proposal and the unbalancing of the set of terraces.

The proposal by way of its poor design and the harm created to the character and appearance of the area would conflict with policies CP1(i) and CP1(iii) of the local plan and the design principles of chapter 7 and the core principles of the NPPF.

Impact on Neighbour Amenity

The application site adjoins No.1 Council Cottage to the North and given the sites rural location does not neighbour any other residential properties. The proposed two storey side enlargement would be positioned away from the neighbouring property at No.1 and would be a sufficient size and position as to not result in a detrimental impact on the amenity of the neighbouring occupiers by way of overbearing or a loss of light.

The single storey front extension would extend along the shared boundary with No.1 by 1.94 metres. The size and position of the single storey front extension is considered to be sufficient as to not cause an overbearing effect or create a tunnelling effect to the neighbouring occupiers at No.1.

No objections are raised under policy CP1(ii) of the local plan, and one of the core principles of the NPPF which seeks to secure a good standard of amenity for all existing and future occupants of land and buildings.

Conclusions

The proposal is considered to conflict with chapter 9 and the design principles of the NPPF, and policies CP1(i), CP1(iii), GB1 and GB2 of the Brentwood Replacement Local Plan 2005. The application is recommended for refusal.

7. **Recommendation**

The Application be REFUSED for the following reasons:-

R1 U12677

The site falls within the Metropolitan Green Belt where new buildings are inappropriate development unless they fall within a list of exceptions identified by paragraph 89 of the NPPF. The proposed extension would result in disproportionate extensions to the original building (increases in footprint by 61.15% and volume by 79% to the original building) and therefore does not fall within the list of exceptions to inappropriate development in the Green Belt, and is by policy definition harmful to the Green Belt. The proposal would be harmful to the openness of the Green Belt by reason of its height, bulk and mass. There are no other considerations that amount to 'very special circumstances' that would outweigh the harm identified. The proposal therefore conflicts with policies GB1 and GB2 of the Brentwood Replacement Local Plan 2005, and chapter 9 of the NPPF.

R2 U12678

The proposal by way of its two storey gable fronted design, and its projection beyond the existing front wall at both single and two storey level, added with the enlargement extending up to the ridge of the existing dwelling, would create a large volume of extensions which would un-balance a pair of semi-detached dwellings and would cause harm to the character and appearance by way of its poor design., The proposal is inappropriate in terms of size, scale and design, and conflicts with policies CP1(i) and CP1(iii) of the Brentwood Replacement Local Plan 2005, chapter 7 of the NPPF and the adopted design guidance within the appendix of the local plan.

Informative(s)

1 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1 GB1 GB2 the National Planning Policy Framework 2012 and NPPG 2014.

2 INF20

The drawing numbers listed above are relevant to this decision

3 U02972

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal.

The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action via a formal request for pre-application advice in respect of any future application for a revised development.

BACKGROUND DOCUMENTS

DECIDED: