

SITE PLAN ATTACHED

37 NAGS HEAD LANE BRENTWOOD ESSEX CM14 5NL

**RAISE RIDGE, EXTEND HIPPED ROOF TO GABLE AND ADD SIDE DORMER
WITH PART SINGLE PART TWO STOREY REAR EXTENSION
INCORPORATING JULIETTE BALCONY AND SINGLE STOREY SIDE
EXTENSIONS (PART RETROSPECTIVE)**

APPLICATION NO: 18/00663/FUL

WARD South Weald

PARISH

CASE OFFICER Mrs Carole Vint

01277 312500

The application has been referred to committee by Cllr McLaren on the grounds that this recommendation is inconsistent with previous decisions made on Nags Head Lane.

1. Proposal

The proposal is for the raising of the ridge, extend hipped roof to gable and add side dormer with part single part two storey rear extension incorporating Juliette balcony and single storey side extensions (Part retrospective).

2. Policy Context

Local Development Plan

The Local Development Plan is currently at the Draft Stage (Regulation 18) and as there are outstanding objections to be resolved, only limited weight can be given to it in terms of decision making, as set out in paragraph 216 of the National Planning Policy Framework. As the plan advances and objections become resolved, more weight can be applied to the policies within it. Nevertheless, the draft Local Plan provides a good indication of the direction of travel in terms of aspirations for growth in the Borough and where development is likely to come forward through draft housing and employment allocations. The next stage of the Local Plan will be a Pre-Submission Draft (Regulation 19) which is currently anticipated to be published in September 2018. Following this, the Draft LDP will be submitted to the Secretary of

State for an Examination in Public. Provided the Inspector finds the plan to be sound it is estimated that it could be adopted in 2019.

Brentwood Replacement Local Plan (2005)

Relevant policies include:

Policy CP1 General Development Criteria

Policy GB1 New Development

Policy GB2 Development Criteria

Policy C7 Development Affecting Preserved Trees, Ancient Woodlands and Trees in Conservation Areas

Policy H17 Dormer Windows

National Planning Policy Framework (NPPF) (2012)

The Government through the NPPF 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 (para 79).

As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (para 87).

A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exception to this include 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 (para 89).

3. Relevant History

- 17/01347/FUL: Raise roof to create two storey dwelling. Two storey rear extension and single storey side extension. -Application Refused
- 13/01350/FUL: Demolition of existing dwelling and construction of 2 semi-detached dwellings. -Application Permitted
- 13/00751/FUL: Demolition of existing dwelling erection of two semi-detached dwellings. -Application Refused
- 10/00604/FUL: Erection Of New Dwelling - (Brw/712/2003) -Application Permitted
- 08/00836/FUL: Erection Of 2 Single Storey Buildings And Change Of Use From Residential Curtilage To Boarding Cattery At Rear Of 37 Nags Head Lane - Application Refused
- 03/00712/FUL: Erection Of A Replacement Dwelling -Application Permitted
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4. Neighbour Responses

This application has been advertised by way of individual neighbour notification letters and public site notice which has been displayed nearby.

No comments received.

5. Consultation Responses

- **Gas Pipeline:**

No comments received at time of writing report.

- **Arboriculturalist:**

The oak at the front of the property, it is a very good specimen. I would be confident that the development would not have any adverse effects on the tree subject to it being properly protected during the construction period to avoid materials being stored against it.

6. Summary of Issues

The main issues which require consideration as part of the determination of this application are:

- Impact of the proposal on the Green Belt;
- The impact of the proposal on the character and appearance of the area;
- Impact on the living conditions of the occupiers of neighbouring properties;
- Impact of the proposal on the preserved tree;

The site has history for a similar proposal application, reference 17/01347/FUL to raise the roof to create two storey dwelling with a two storey rear extension and single storey side extension, which was refused for the following reasons:

- 1. The proposal represents inappropriate development in the Green Belt unsupported by very special circumstances in conflict with the NPPF and policy GB1.*
- 2. The proposal would have a greater impact on the openness of the Green Belt than the current bungalow and is therefore in conflict with the NPPF and policy GB1.*
- 3. The proposal fails to demonstrate a sufficiently high quality of design in conflict with policy CP1.*

The current application seeks to overcome the reasons for refusal, with the proposal reduced in bulk at first floor, maintaining the low eaves. The submitted supporting

statement has included photographs of the dwelling, that show works have started on the site and therefore the proposal is part retrospective.

Green Belt

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, habitable floor space, volume, bulk and mass and their relation to the original building as a consideration. When calculating the floorspace of the building, any additional alterations made to the dwelling since the original dwelling house was built are taken into consideration. However, it is unclear from the history whether the conservatory and garage are later additions, therefore these have been treated as original when making the following calculations.

	Original	Proposed
Floorspace approx.	111.37 square metres	115.32 square metres
Footprint approx.	113.32 square metres	66.24 square metres
Volume	387.67 cubic metres	439.35 cubic metres

The floorspace of the dwelling would be increased by a further 103% over the original floorspace of the dwelling and the footprint of the dwelling would be increased by a further 58%. The proposal involves a two storey full width rear extension, with a single storey side extension and dormer added above. Raising the ridge and formation of a hipped roof to gable end, thus enlarging the habitable space at first floor and the formation of additional volume in depth at two storey and single storey, resulting in an increase in volume of 113% over the original dwelling.

The submitted supporting statement has included photographs of the dwelling, works have started on the site and the proposal is part retrospective. The site has history for the demolition and construction of a pair of semi-detached dwellings, reference 13/01350/FUL which was approved 17 February 2014 under Policy GB4 which it has been now held to be non-Framework compliant on recent appeals.

Pre-commencement conditions have not been discharged and the works on site relate, according to the applicant, to this application and are not intended as a material start to the previous approval. As this permission is not extant, it does not form a material consideration and does not represent a fallback position.

The built form of the original dwelling is a chalet bungalow of a hip roof design with a single projecting gable element at the front, with an attached flat roof garage and a single pitched roof dormer to the front. The depth of the building would be increased by 5.5 metres at the rear with a full width extension, including the single storey side element added to the rear of the garage, forming a part catslide roof where it joins the gable. The roof design will alter from a hip roof, to a gable roof, with a side dormer added (facing No. 36). The ridge height would be increased by 1.5 metres, with the gable extending the full depth of the existing dwelling and the extended part at the rear, increasing the depth of the two storey element from 9.5 metres to 15 metres.

The above figures indicate a significant increase in the size of the built form. The increase in bulk would have a detrimental impact on the openness of the Green Belt. As such it is considered the proposed alterations to the original dwelling would result in disproportionate additions over and above the size of the original dwelling and would be inappropriate development as set out in paragraph 89 of the NPPF. Inappropriate development, by definition, is harmful and contrary to Part 9 of the NPPF and Policy GB1 and GB2 of the Brentwood Replacement Local Plan. The applicant has not put forward any 'very special circumstances' to clearly outweigh the harm that the development would cause to the Green Belt. Therefore, the proposal is contrary to Green belt policy.

Planning History of the area

Recent approvals include

No 48 (17/00658)- this was approved due to previous extant permissions which were not dissimilar and were approved under Policy GB4

No 33 (16/00881) -officers considered this was not a disproportionate extension

No 36 (13/01138) This extension was approved under GB4.

No 38 No recent history apart from a single storey rear extension.

Design and Character and Appearance of the Area

The application site is located on the northern side of Nags Head Lane and is occupied by a detached chalet bungalow, with open fields to the rear and opposite the site. The proposal would involve an increase in ridge height of 1.5 metres, which would result in an increase in bulk and height to the built form, but the size and siting is not dissimilar compared to the adjoining dwellings, although, the proposed side elevations will add considerable bulk and massing to the host dwelling. Given the mixed character of the area, the proposed extensions would be in keeping with other dwellings, however, the harmful impact on the openness of the Green belt as discussed above is the determining factor.

Preserved Tree

The Council's Arboricultural Officer has commented that the Oak at the front of the property, the proposal would not have any adverse effects on the tree subject to it being properly protected during the construction period to avoid materials being stored against it in accordance with Policy C7.

Conclusion

The proposal would therefore be contrary to Policies GB1 & GB2 of the Brentwood Replacement Local Plan and the provisions of the Framework. The application is recommended for refusal.

7. Recommendation

The Application be REFUSED for the following reasons: -

R1 U25669

The proposal extension, due to its size and massing would amount to an alteration of the building resulting in a disproportionate addition over and above the size of the original building. As such it would represent inappropriate development in the Green Belt that would have materially greater impact on the openness of the Green Belt than the original dwelling. The proposal therefore conflicts with Brentwood Replacement Local Plan Policies GB1 and GB2 and the provisions of the Framework as regards development in the Green Belt.

R2 U25671

There are no matters in support of the application which would clearly outweigh the harm the development would cause through inappropriateness and reduction in openness of the Green Belt, within which the site is located. Therefore, no very special circumstances exist to justify the grant of planning permission for the inappropriate development.

Informative(s)

1 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, C7, H17, GB1, GB2 the National Planning Policy Framework 2012 and NPPG 2014.

2 INF20

The drawing numbers listed above are relevant to this decision

3 INF23

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and clearly identifying within the grounds of refusal either the defective principle of development or the

significant and demonstrable harm it would cause. The issues identified are so fundamental to the proposal that based on the information submitted with the application, the Local Planning Authority do not consider a negotiable position is possible at this time.

BACKGROUND DOCUMENTS

DECIDED: