

SITE PLAN ATTACHED

45 NAGS HEAD LANE BRENTWOOD CM14 5NL

SINGLE STOREY REAR EXTENSION TO INCLUDE PITCHED ROOF.

APPLICATION NO: 21/00409/HHA

WARD	South Weald	8/13 WEEK DATE	20.05.2021
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PARISH	Ext. Of Time	tbc
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CASE OFFICER	Brooke Pride
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Drawing no(s) relevant to this decision:	REVISED BLOCK PLAN; 02.02.21.1; 02.02.21.3; 02.02.21.4; REVISED SITE LOCATION PLAN;
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The application has been referred to the Committee by Councillor McLaren for the following reason:

I understand that the proposal has been judged on a purely metric basis against prior applications, however in the context of the building and neighbourhood the proposal is modest and does not negatively impact the surroundings. I am given to understand that the resident could demolish his property and rebuild on the scale that is being refused by this application, which is my view nonsensical. In my opinion members should be given the opportunity to use their discretion as to the reasonableness of the proposed refusal.

1. Proposals

This application relates to a single storey rear extension.

2. Policy Context

Brentwood Replacement Local Plan 2005:

- Policy CP1 General Development Criteria
- Policy GB1 New Development
- Policy GB2 Development Criteria

Emerging Local Development Plan (LDP) to 2033:

The Brentwood Replacement Local Plan 2005 remains the Development Plan and its policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the National Planning Policy Framework (NPPF). Due weight should be given to them, according to their degree of consistency with the NPPF - the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given.

The emerging Local Development Plan went through Pre-Submission (Publication Draft) Stage (Regulation 19) consultation early in 2019 with a further focused consultation, following revisions to the detailed wording of some of the proposed housing allocations, later in the year. The plan was submitted to the Planning Inspectorate in February 2020. The Examination in Public hearing sessions opened in December 2020, concentrating on strategic matters, with hearings on more detailed matter held at the beginning of February 2021, as set out in draft timetabling by the Secretary of State. Provided the Inspector finds the plan to be sound, it is projected that it could be adopted by the Council later in 2021/ early 2020.

As the emerging plan advances and objections become resolved, more weight can be applied to the policies within it. At this stage there are outstanding objections to be resolved, nevertheless, the 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. While the examination is a further step in progress towards adoption, because the plan has yet to complete its progress through the Examination in Public it is still considered that it currently has limited weight in the decision making process.

National policy and advice

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

3. Relevant History

- 96/00135/FUL: Ground Floor And First Floor Extensions. – Application Permitted
- 96/00448/FUL: Installation Of Two Pitched Roofed Dormer Windows At The Rear. – Application Permitted
- 10/00463/FUL: Proposed Single Storey Side And Rear Extension – Application Permitted

4. Neighbour Responses

Where applications are subject to public consultation those comments are summarised below. The full version of each neighbour response can be viewed on the Council's website via Public Access at the following link:

<http://publicaccess.brentwood.gov.uk/online-applications/>

No neighbour comments were received.

5. Consultation Responses

Not Applicable

6. Summary of Issues

The key issues are:

- Impact of the development on the Metropolitan Green Belt
- Impact of the development on the character and appearance of the area
- The effect on the living conditions of nearby neighbours

Site Description

The application site is on the North side of Nags Head Lane, occupied by a detached chalet bungalow. The area is characterised by a continuous frontage of dwellings that are surrounded by open land and washed over by the Metropolitan Green Belt. The surrounding development within the area is characterised by a mixture of sizes from bungalows two storey dwellings, with many benefitting from previous enlargements or alterations.

Green Belt

The committee will be aware that the government attaches great importance to the greenbelt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.

Policies GB1 and GB2 aim to control development but support a limited range of development, subject to being appropriate to the greenbelt and protecting its openness. These policies are broadly consistent with the NPPF, but where there is a difference between it and the Development Plan, the NPPF, which is newer than the development plan, takes preference. The later document is a more up to date and concise statement of greenbelt policy.

The NPPF stipulates that new buildings are inappropriate development in the greenbelt, unless one of a short list of quoted exceptions in paragraph 145.

From the submission I have identified the proposal should be considered under 145 (c):

c)- 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 state how to measure whether an extension is 'disproportionate' but since retaining openness is the fundamental aim of national policy a comparison of existing and proposed increases in bulk (volume) is considered the appropriate method. In this instance the visual impact of the proposal compared to the original property has been assessed although the increase in floor space (and by proxy, volume) is included here:

	Original	Proposed extensions	Total including previous extensions
Floorspace Approx.	68 sqm	29 sqm	197 sqm

The original dwelling formed a hipped roof modest sized bungalow, which has benefitted from an increase in ridge height, hip to gable roof extensions, the addition of dormers and single storey extensions. The additional floorspace provided within the roof, has already significantly increased the bulk and volume of the original building.

A comparison of the original, existing and proposed building clearly shows the extent of extensions and volume, which in planning terms, amount to disproportionate extensions. The proposal would infill to the side and rear of the dwelling between two previous extensions, however it then extends 2.3 metres further beyond the furthest rear building line resulting in a further sprawl of development.

The cumulative effect will materially reduce the openness of this part of the Green Belt compared to the existing situation, contrary to National and Local Planning Policy, in conflict with policy GB1 and GB2 of the local plan and Chapter 13 of the NPPF.

No other considerations have been put forward that would constitute 'very special circumstances' to clearly outweigh the harm that the development would cause to the Green Belt.

"143. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

144. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."

The last sentence is particularly worthy of note. Even were there to be very special circumstances they would need to *clearly outweigh* the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, which is a much higher threshold than an on balance judgement.

Therefore, the acceptability of the proposal is wholly reliant on very special circumstances meeting the threshold set out in paragraph 144 above i.e. *the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.*

The applicant has not advanced any ‘very special circumstances’ for consideration. The desire to have more or new accommodation is understandable, but the existing building is of a standard and size that can accommodate family living. The seemingly innocuous or well merited built form within the green belt cumulatively undermines green belt objectives.

Design, Character and Appearance

Local Plan Policy CP1 (General Development Criteria) (i) states that the Council will need to be satisfied that the proposed development would not have an unacceptable detrimental impact on the visual amenity and character and appearance of the surrounding area, and criteria (iii) states that the proposal should be of a high standard of design and layout and should be compatible with its location and any surrounding development in terms of size, siting, scale, style, design and materials.

The single storey rear extension will have a crown roof design, with a roof lantern that extends to the height of the first floor window. The height of the proposed extension is considered excessive due to the land level changes towards the rear of the site and the internal floor level remaining at the same height as the front of the dwelling, rather than internally stepped down. This results in the single storey rear extension being excessive in height and scale compared to the existing building, resulting in a vast flank wall with no break in development.

The proposal is in conflict with policy CP1 (i) and (iii) of the local plan, chapter 12 of the NPPF and the National Design Guide (C1) which states new development should understand and relate well to the site and its local and wider context including form, layout, scale, appearance, details and materials.

Effect on residential amenity

Policy CP1 is supportive of development proposals provided they protect the living conditions of surrounding residents.

The proposal seeks to create an infill extension adjacent to the common boundary shared with No.44. The land levels drop away to the rear; the rear of the

neighbouring dwelling is also at a lower land level than the application dwelling. It is considered that a 9.3 metre long extension set on a higher land level and extending 4.4 metres in height at its maximum(excluding the roof light) would result in an unduly overbearing impact on the neighbouring occupiers, contrary to Policy CP1 Brentwood Replacement Local Plan insofar as it aims to safeguard residential amenity and it also conflicts with a core principle of the National Planning Policy Framework, which is to always seek to secure a good standard of amenity for all occupants of land and buildings.

The proposal conflicts with Policies CP1, GB1, GB2 of the local plan, the NPPF and the NPPG and is therefore recommended for refusal.

7. Recommendation

The Application be REFUSED for the following reasons:-

1

The proposed extension due to its size and previous enlargements would amount to a disproportionate addition in relation to the size of the original dwelling, representing inappropriate development in the Green Belt that would have materially greater impact on the openness of the Green Belt. The proposal therefore conflicts with Brentwood Replacement Local Plan Policies GB1 and GB2 and Chapter 13 of the National Planning Policy Framework as regards to development in the Green Belt. 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.

2

The proposal is of a scale and design that is not compatible with the existing dwelling or surrounding development of the site in conflict with Local Plan Policy CPI (i) and (iii) of the Brentwood Replacement Local Plan and the National Design Guide (section C1) and the design objectives contained in part 12 of the NPPF which seeks to promote good high quality design and reinforce local distinctiveness.

3

The proposed extension by reason of its size, height, depth and due proximity to the shared boundary with No.44 Nags Head Lane would unacceptably have an unduly imposing presence and overbearing impact contrary to Policy CP1 (criterion ii) of the Adopted Replacement Brentwood Local Plan and the aims and objectives of the NPPF (2019).

Informative(s)

1 INF05 Policies

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, GB1, GB2; National Planning Policy Framework (NPPF) 2019 and NPPG 2014.

2 INF20 Drawing Numbers (Refusal)

The drawing numbers listed above are relevant to this decision

3

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, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development. Details of the pre-application service can be found on the Council's website at www.brentwood.gov.uk/preapplicationadvice

BACKGROUND DOCUMENTS

DECIDED: