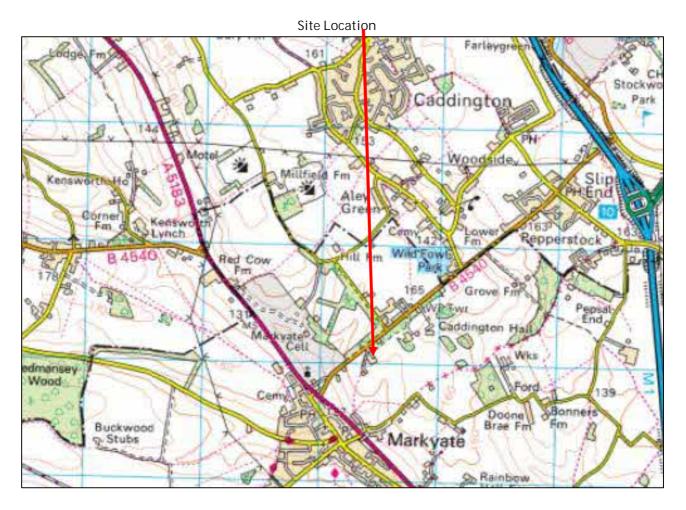
Proposal: Demolition of integral garage and construction of part two storey, part single storey side, front and rear extensions and internal alterations. (Resubmission following refusal of Application reference 23/02083/FHA).

# **Supporting Statement**

Householder application for the demolition of integral garage and construction of part two storey, part single storey side, front and rear extensions and internal alterations. (Resubmission following refusal of Application reference 23/02083/FHA).

at Sun Lea, Luton Road, Markyate. St Albans. Hertfordshire. AL3 8PZ



February 2024

Location: Sun Lea, Luton Road, Markyate. St Albans. Hertfordshire. AL3 8PZ
Proposal: Demolition of integral garage and construction of part two storey, part single storey side, front and rear extensions and internal alterations. (Resubmission following refusal of Application reference 23/02083/FHA

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Appendix 1 - Floor Area Comparisons in sqm - GEA (Gross External Area)

# 1. Site Description.

The application site is comprised of a two storey, detached dwelling, situated to the south of Luton Road on the edge of the village of Markyate. The site is situated within the Green Belt.

Photographs of the existing dwelling are shown below.





# 2. Proposal

This application seeks full householder permission for the demolition of integral garage and construction of part two storey, part single storey side, front and rear extensions and internal alterations.

Following the recent refusal of planning application reference 23/02083/FHA, and mindful of the planning case officers delegated report, this resubmission has made amendments which have resulted in a reduction in size of the proposed extensions to the property.

# 3. Planning History & Policy Considerations

<u>Demolition of integral garage and conservatory and construction of two storey side and front extensions and single storey rear extensions.</u>

Ref. No: 23/02083/FHA | Received: Mon 28 Aug 2023 | Validated: Mon 28 Aug 2023 | Status: Refuse Permission

#### Second storey side extension

Sun Lea Luton Road Markyate St Albans AL3 8PZ

Ref. No: 4/03157/15/FHA| Received: Thu 17 Sep 2015 | Validated: Tue 29 Sep 2015 | Status: Granted

#### Single storey side extension and conservatory

Sunlea Nurseries Luton Road Markyate St. Albans AL3 8PZ

Ref. No: 4/00740/00/ FHA | Received: Tue 18 Apr 2000 | Validated: Tue 18 Apr 2000 | Status: Granted

#### Two storey rear extension

Sunlea Nurseries Luton Road Markyate St. Albans AL3 8PZ

Ref. No: 4/00348/98/FUL | Received: Fri 06 Mar 1998 | Validated: Fri 06 Mar 1998 | Status: Granted

#### Granted

#### Two storey side extension, demolition and rebuilding single storey side extension

Sunlea Nurseries Luton Road Markyate St. Albans AL3 8PZ

Ref. No: 4/00335/97/FHA| Received: Thu 06 Mar 1997 | Validated: Thu 06 Mar 1997 | Status: Granted

Please note that planning applications 4/03157/15/FHA and 4/00335/97/FHA, whilst approved, were never implemented.

#### Constraints

Advert Control: Advert Spec Control

CIL Zone: CIL2

Green Belt: Policy: CS5 Parish: Markyate CP

RAF Halton and Chenies Zone: Red (10.7m)

Parking Standards: New Zone 3 EA Source Protection Zone: 3

# Planning Policies

#### Main Documents:

National Planning Policy Framework (December 2023)

Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)

Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

#### Relevant Policies:

Dacorum Core Strategy

NP1 - Supporting Development

CS1 - Distribution of Development

CS5 - Green Belt

CS8 - Sustainable Transport

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS29 - Sustainable Design and Construction

Dacorum Local Plan Appendix 3 – Layout and Design of Residential Areas Appendix 7 – Small-scale House Extensions Saved Policy 22 – Extensions to dwellings in the Green Belt and the Rural Area

#### Considerations for the Application

The policy and principle justification for the proposal; Green Belt Assessment; The quality of design and impact on visual amenity; The impact on residential amenity; and The impact on highway safety and car parking.

# 4. Principle of Development

The site is located within the Green Belt. 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.

Policy CS5 of the Dacorum Core Strategy (2013) states that the Council will apply national Green Belt policy to protect the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements.

Policy CS5 clarifies that small-scale development - such as limited extensions to existing buildings

- is acceptable provided that:
- i) It has no significant impact on the character and appearance of the countryside; and
- ii) It supports the rural economy and maintenance of the wider countryside.

Paragraph 154 of the National Planning Policy Framework (NPPF) states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, but then goes on to list a number of exceptions. Of relevance is paragraph 154 (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"

Annex 2 of the NPPF defines the term 'original building' as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

In addition to seeking to ensure that extensions are compact and well-related to the existing building in terms of design, bulk, scale and materials, saved Policy 22 of the Dacorum Local Plan 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. (Percentage increases are no longer typically used as a limiting factor in establishing whether an extension is acceptable in principle).

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.

An examination of the history of the site is detailed below;

#### Site History

The current owners acquired the property in November 2022 and every effort has been made to collate the following information, to give a better understanding of the history of the site.

The information will define the original building, as it existed on 1st July 1948 with the history of the additions made.

It is believed that the existing dwelling at Sunlea was constructed in the mid to late 1930's, and was purchased by a Mr Kenneth Stanley Crutch sometime between April and September 1941. This information has been acquired from the Ancestry website which provided the following details:

Mr Kenneth Crutch had a home in Bromley Grove in Kent, which was subjected to air raids by the German Luftwaffe in April 1941. Sunlea became the Crutch family home later in 1941 after moving from the bombed out home in Bromley Grove, Kent.

The Ancestry webpage displays a photograph of Sunlea when reference is made to the Crutch family moving in, as shown below.



This photo appears to relate quite accurately to the original Land Registry Title Plan, which is discussed below.

The Land Registry Title confirms the existence of Sunlea in September 1941, and also that the property was owned by Kenneth Crutch. This is supported by the fact that shortly after acquiring Sunlea, Mr Crutch purchased some additional land, which is detailed in the Land Registry Title, and the relevant extract is shown below.

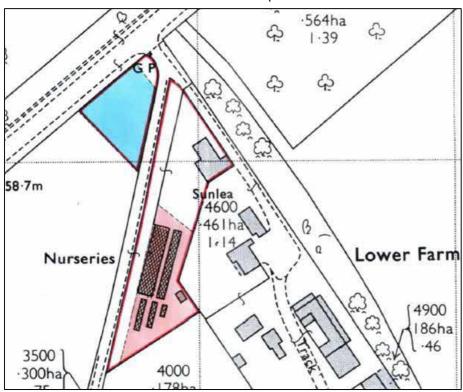
#### C: Charges Register

A Conveyance of the land tinted pink on the filed plan dated 27 September 1941 made between (1) John Chandler (Vendor) and (2) Kenneth Stanley Crutch (Purchaser) contains the following covenants:-

The First Schedule above referred to.

1. The land hereby conveyed shall be used only as a garden appurtenant to the adjoining property of the Purchaser known as Sunlea and no building or other erection shall be erected thereon except that a single storey garage and greenhouse may be erected on that part of the said land as is hatched black on the said plan.

## Extract of the filed plan



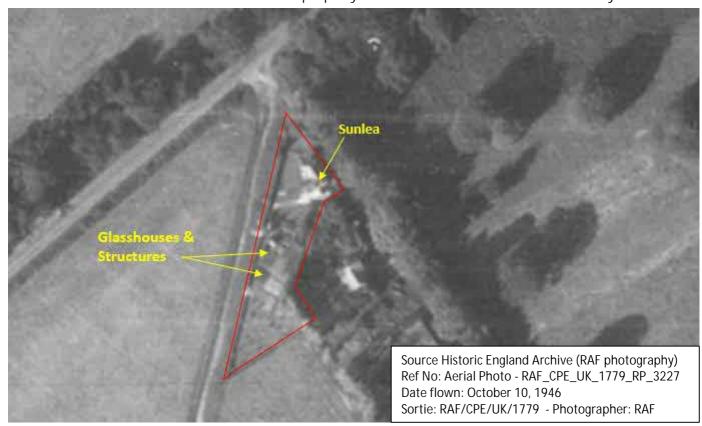
This confirms Mr Crutch as the owner of Sunlea in 1941

The extract of the Title Plan shows the house at Sunlea, and the size of the original dwelling in 1941.
The plan also shows the additional land tinted pink and acquired in 1941 by Mr Crutch.

The Title Register also confirms the use of the land tinted pink as a garden appurtenant to the curtilage of Sunlea, and also confirms the presence of the greenhouses and other structures on the land in 1941.

This is further evidenced by 20,000 aerial photographs recently released by Historic England that were captured by reconnaissance aircraft over England during the Second World War. An extract of a 1946 photograph is shown below, with the official references;

We have marked the outline of the property at Sunlea with a red line to the boundary.



The information above has clarified the existence of the house before 1948, the extent of its garden area and the presence of associated structures.

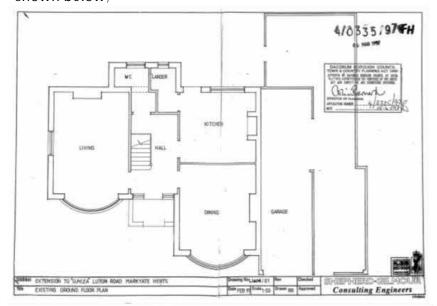
With reference to the size of the house in 1948, the land Registry title plan depiction is consistent with the size of the house as shown in the oldest planning application that is available for Sunlea, dating from 1997.

The 1997 application details are as follows:

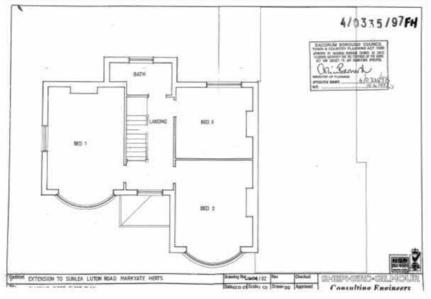
Ref. No: 4/00335/97/FHA | Received: Thu 06 Mar 1997 | Validated: Thu 06 Mar 1997 | Status: Granted.

Two storey side extension, demolition and rebuilding single storey side extension Sunlea Nurseries Luton Road Markyate St. Albans AL3 8PZ.

An extract of the drawings showing the original house, and taken from the 1997 application are shown below;



Original Ground Floor Layout



Original First Floor Layout

The original drawings for this 1997 application are attached within Appendix 1 of this document. These drawings have been accurately re-scaled, and measurements taken in order to provide the correct dimensions of the original dwelling at Sunlea, as shown below.

# Original Dwelling - Floor area sqm - GEA

Gross external Ground Floor 144 square metres
Gross external First Floor 78 square metres

Total 222 square metres

The planning case officer in their report for the recent, previously refused application (Ref: 23/02083/FHA) had arrived at an approximate figure of 205.90 sqm for the floor area of the original building. This differs from the figures above, and therefore, for clarity, the original drawings for this 1997 application are attached within Appendix 1 of this document. These drawings have been accurately re-scaled, measurements taken, and confirm the above figures as correct, and these are also attached within Appendix 1.

Whilst the 1997 approval was not implemented, it was helpful in clarifying the extent of the original dwelling.

\_\_\_\_\_

4/00348/98/FUL - Two-storey rear extension

In 1998 planning permission was granted and implemented for a two-storey rear extension, This added approximately 19.5sqm (at ground and first floor in total). There was already a smaller two storey rear extension (as shown on the 1997 drawings)

amounting to 8.5sqm, which was demolished to make way for the new two storey extension. This resulted in an increase of 11sqm above the original floor area.

4/00740/00/FHA - Single storey side extension and conservatory

Planning permission was granted and implemented for a single storey side extension to southeast elevation - (replacement garage and a breakfast room) equal to 44.5sqm. The original garage/ outbuilding removed had a footprint of 61sqm hence there was an overall reduction in floor area of 16.5sqm.

The construction of the Conservatory also included a small extension to the northwest elevation, and resulted in an increase in floor area of 28.5sgm.

This then resulted in an overall increase of 12sqm above the original floor area. (Balance: 28.5sqm - 16.5sqm = 12sqm)

\_\_\_\_\_

4/03157/15/FHA - Second storey side extension (above existing garage) Planning permission was granted but not implemented and now expired.

23/02083/FHA - Demolition of integral garage and conservatory and construction of two storey side and front extensions and single storey rear extension.

This application was recently refused (29th January 2024) as it resulted in an increase of 224.62sqm over the size of the original dwelling, thus resulting in an increase of 109% and as a consequence was not deemed to be a proportionate extension to the original dwelling.

As stated previously, scaled drawings are included within Appendix 1 to demonstrate the dimensions of the original building, the dimensions of the existing building and the dimensions of the proposed extensions suggested with this current application.

These figures are detailed below;

Gross External Area (GEA) in sqm

Original dwelling 222sqm

Existing dwelling 245sqm (includes previous additions as detailed previously)

Proposed additions 106sgm

Total 351sqm

Difference in floor space between the original dwelling and overall proposed is 129sqm.

The additional floor area of the proposed extensions would equate to an approximate overall percentage increase from the original dwelling (building) of 58%

#### 5. Green Belt Assessment

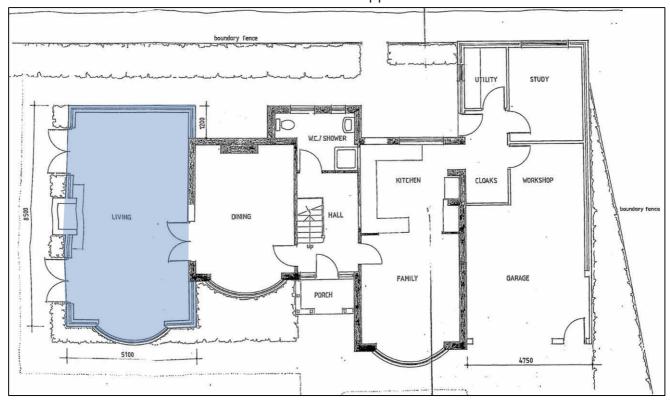
Whilst there would be a spatial impact in terms of the proposed increase, the visual impact would be limited as the property is set back from Luton Road by over 40 metres. Given its siting and the siting of surrounding structures from most public vantage points, it is not visible from longer distance views. (As shown in the aerial photograph below).



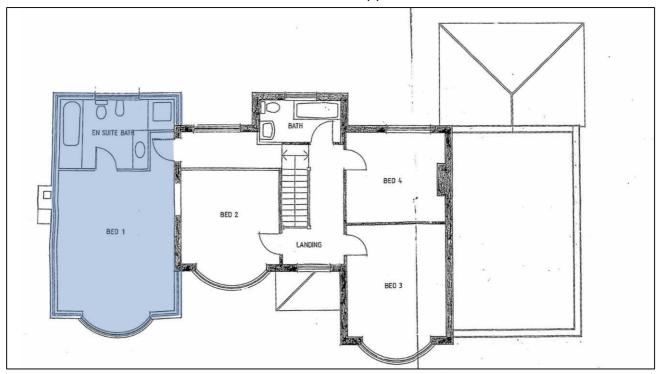
Whist the 1997 planning application (Ref. No: 4/00335/97/FHA) was not implemented, it was approved, and it is well established case law that previous planning decisions are capable of being material considerations, meaning that they may need to be taken into account by those determining subsequent applications for permission.

The 1997 application proposed a two storey side extension, these drawings are included within Appendix 1 and an extract is shown overleaf;

# Approved Ground Floor Plan The area shaded blue was approved in 1997



Approved First Floor Plan The area shaded blue was approved in 1997



The 1997 drawings attached within Appendix 1 do have the dimensions of this two storey side extension annotated. This extension resulted in a ground floor area of 46sqm and a first floor area of 46sqm, totalling 92sqm.

This increase above the original dwelling area of 222sqm, resulted in an increase of 41.5%. The current proposal is asking for an increase of 58%.

It is of relevance that the 1997 approval had also proposed this two storey extension on the north western side of the dwelling, which is probably more visible from public vantage points. The current application now proposes the main two storey extension on the south eastern side of the dwelling.

The planning officer, in their report when considering the previously refused application, had stated that;

"Whilst the dwelling may be glimpsed but is largely obscured visually from Luton Road, there is a right of way along the entirety of the western (front) boundary of the site. In visual terms, due to its position, bulk and scale of the proposal, in particular, the increased bulk to both sides by way of first floor additions and extended roof, it is considered that the scheme would be significantly harmful to the openness of the Green Belt".

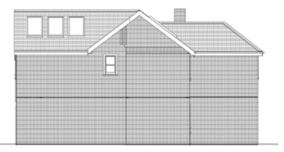
The applicants have been mindful of the officer's comments, especially the particular issue with the increased bulk to both sides by virtue of the first floor additions. The concentration of the first floor extensions to just one side will hopefully address the officer's concerns.

A material consideration would also be the unimplemented planning approval for a second storey side extension Ref. No: 4/03157/15/ FHA in 2015.

An extract of the previously approved elevations are shown below, and are not to dissimilar to this current application in terms of street views and appearance.



2015 PREVIOUSLY APPROVED PROPOSED FRONT ELEVATION - 1:100



2015 PREVIOUSLY APPROVED PROPOSED SIDE ELEVATION - 1:100



2015 PREVIOUSLY APPROVED PROPOSED REAR ELEVATION - 1:100



2015 PREVIOUSLY APPROVED PROPOSED SIDE ELEVATION - 1:100

It is also of importance to consider that the neighbouring dwellings to Sunlea have also been the subject of extensive extensions which have resulted in a much higher percentage increases in floorspace, in fact over 100%.

The applicant would also to mention the matter of the extensive outbuildings present on site before 1948. It has been demonstrated that these structures were on site prior to 1948 and within the garden area of the dwellinghouse.

These were of a considerably size and recent caselaw (Warwick DC v SoS for Levelling up, Housing and Communities [2022]) has provided clarification on this matter.

The Judge in this case opined that:

"the presence of the absence of a physical connection between the original building and the new building is not conclusive as to, and is arguably of minimal relevance to, the degree of impact on the Green Belt",

before going on to conclude,

"paragraph 149 (c) is not to be interpreted as being confined to physically attached structures but that an extension for the purposes of that provision can include structures which are physically detached from the building of which they are an extension.'"

The planning officer did comment in regard to these historical structures when stating;

"In any event, even if the above-mentioned structures were present and/or part of the residential curtilage, due to the distance of approximately 23m between the original dwelling and the closest of these lightweight structures, they are not considered to form part of the original dwellinghouse/building or later additions to that building. Therefore, they do not form part of the Green Belt calculations as set out below".

Whilst the applicants are hopeful that the amended proposals will be viewed favourably, we must mention that the outbuilding referred to in the Warwick DC v SoS for Levelling up, Housing and Communities [2022] case, was in fact a disused timber structure sitting within the West Midlands Green Belt more than 20m from the host dwelling.

### 6. The quality of design and impact on visual amenity

As mentioned previously, the property has been granted planning permission for extensions previously, but not implemented. These permissions granted two storey extensions on either side of the dwelling, and were broadly similar in design and style to the application now under consideration.

The planning officer had reminded us, that, the NPPF emphasises the importance of good design in context and, in particular, paragraph 139 states that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design taking into account any local design guidance and supplementary planning documents. Dacorum's Core Strategy Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design) state that development within settlements and neighbourhoods should preserve attractive streetscapes; integrate with the streetscape character and respect adjoining properties in terms of scale, height, bulk and materials.

Despite the fact that the planning officer had concluded that the previously refused proposals would significantly increase the size of the dwelling, they did conclude that

"However, on balance, in this location, it is considered that the proposal does not appear unduly dominant in terms of bulk, scale and height to the parent building and streetscene and will use sympathetic materials.

Therefore, it is considered that the proposal would be generally sympathetic and in keeping with the building and street scene, respect adjoining properties. Therefore, no significant adverse effects on the character and appearance of the streetscene are identified."

# 7. The impact on residential amenity

Similarly, the planning officer, whilst concluding that the previously refused proposals would significantly increase the size of the dwelling, they did state in their delegated report, that;

"Overall, due to the height, positioning and separation distance between extension and surrounding dwellings houses it is considered that the proposal would result in no significant adverse impact on the residential amenity of the neighbouring properties when considering a loss of daylight, sunlight or privacy. It is therefore considered that the proposal accords with Policy CS12".

# 8. The impact on highway safety and car parking

The NPPF (2023), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), and the Parking Standards Supplementary Planning Document (2020) all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.

Currently Sunlea has 3-bedrooms at first floor level, and the current proposal would result in creating an additional bedroom. Further, the proposed changes include removing the existing integral double garage.

These details are exactly the same as the previously refused application, but the planning officer did, in their delegated report, conclude that;

"there is a large area of gravel to the front and side of the dwelling such that there is adequate off street parking provision for a property of this size. No changes to the access are proposed, and overall the proposal would not result in an unacceptable impact on highway safety".

February 2024

Appendix 1 - Floor Area Comparisons in sqm - GEA (Gross External Area) shown below;

Location: Sun Lea, Luton Road, Markyate. St Albans. Hertfordshire. AL3 8PZ
Proposal: Demolition of integral garage and construction of part two storey, part single storey side, front and rear extensions and internal alterations

# **APPENDIX 1**

# Floor Area Comparisons in sqm GEA (Gross External Area)

This Appendix contains the following details;

Ref. No: 4/00335/97/FHA

Two storey side extension, demolition and rebuilding single storey side extension.

Drawings submitted for 1997 Planning Application.

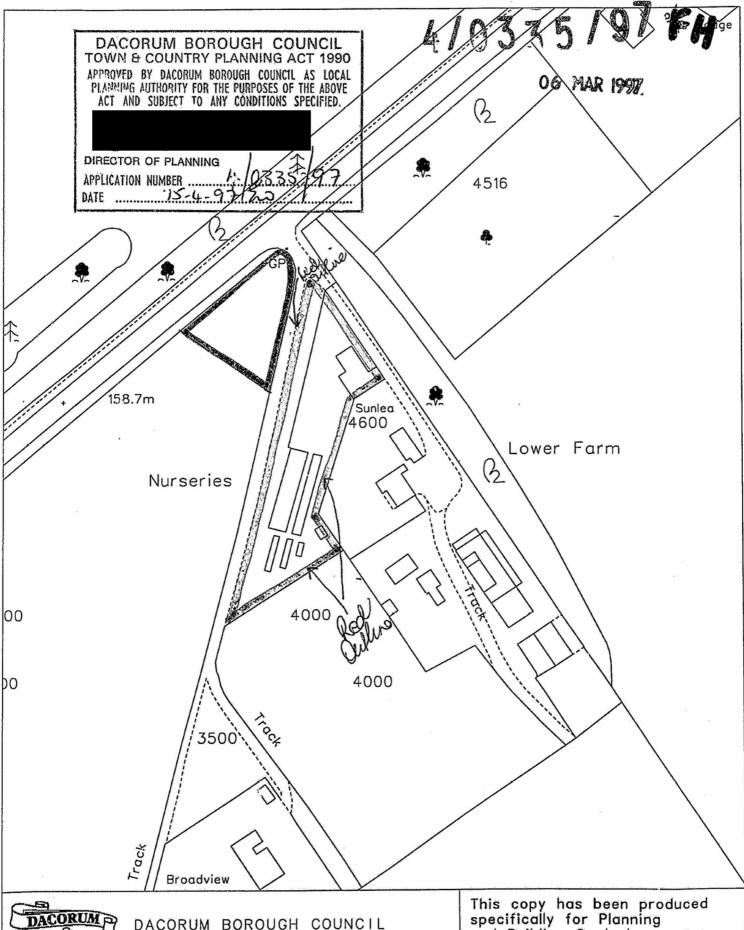
GEA (Gross External Area) sqm - Existing Building Floor Space - A1 - 1-100

GEA (Gross External Area) sqm -Original Building and Proposed Extensions Floorspace Comparison - A1 - 1-100

# Ref. No: 4/00335/97/FHA

Two storey side extension, demolition and rebuilding single storey side extension.

Drawings submitted for 1997 Planning Application.





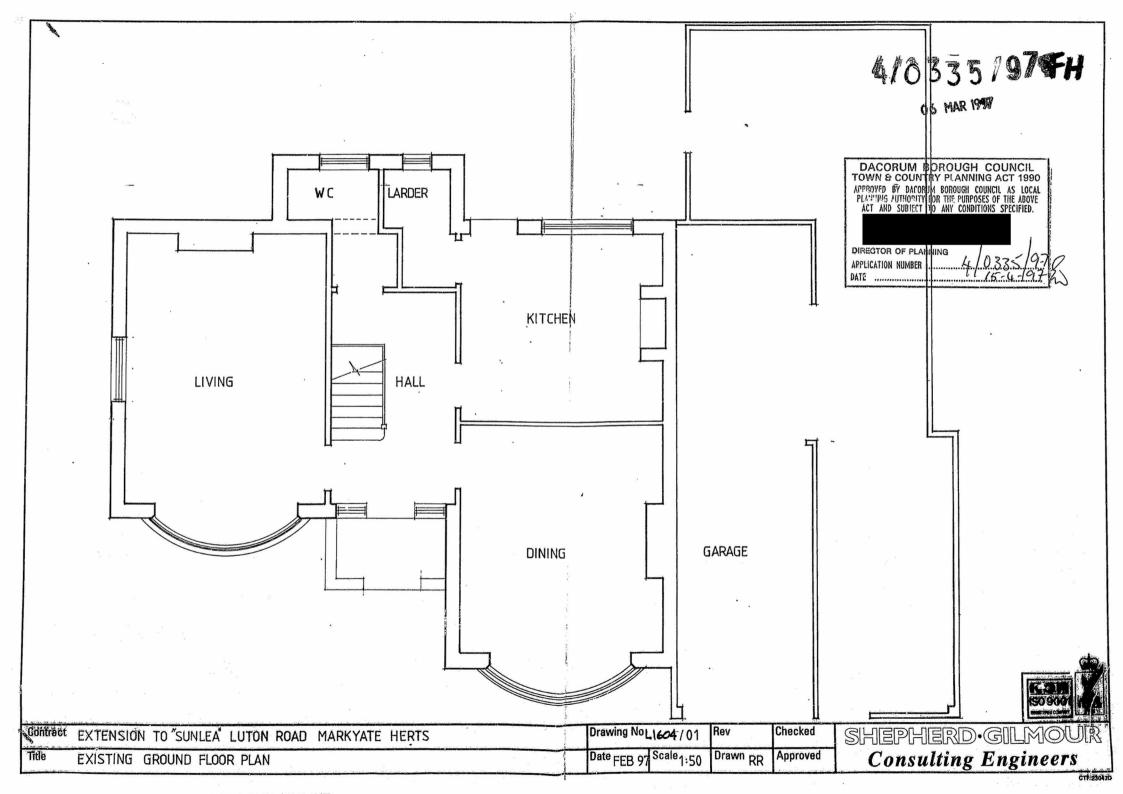
DACORUM BOROUGH COUNCIL PLANNING DEPARTMENT

Date.. 03/02/97 Scale. 1: 125 1250



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Shepherd Gilmour Ptnship. 1 Norfolk Court Norfolk Road Rickmansworth Herts WD3 1LA

#### Applicant:

Sunlea Luton Road Markyate HERTS

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION - 4/00335/97/FHA
TWO STOREY SIDE EXTENSION, DEMOLITION AND REBUILDING SINGLE
STOREY SIDE EXTENSION
SUNLEA LUTON ROAD MARKYATE HERTS

Your application for full planning permission (householder) dated 23 February 1997 and received on 6 March 1997 has been GRANTED, subject to any conditions set out overleaf.

Director of Planning Dacorum Borough Council Civic Centre Marlowes Hemel Hempstead Herts HP1 1HH

Date of Decision: 15 April 1997

# CONDITIONS APPLICABLE TO APPLICATION: 4/00335/97/FHA

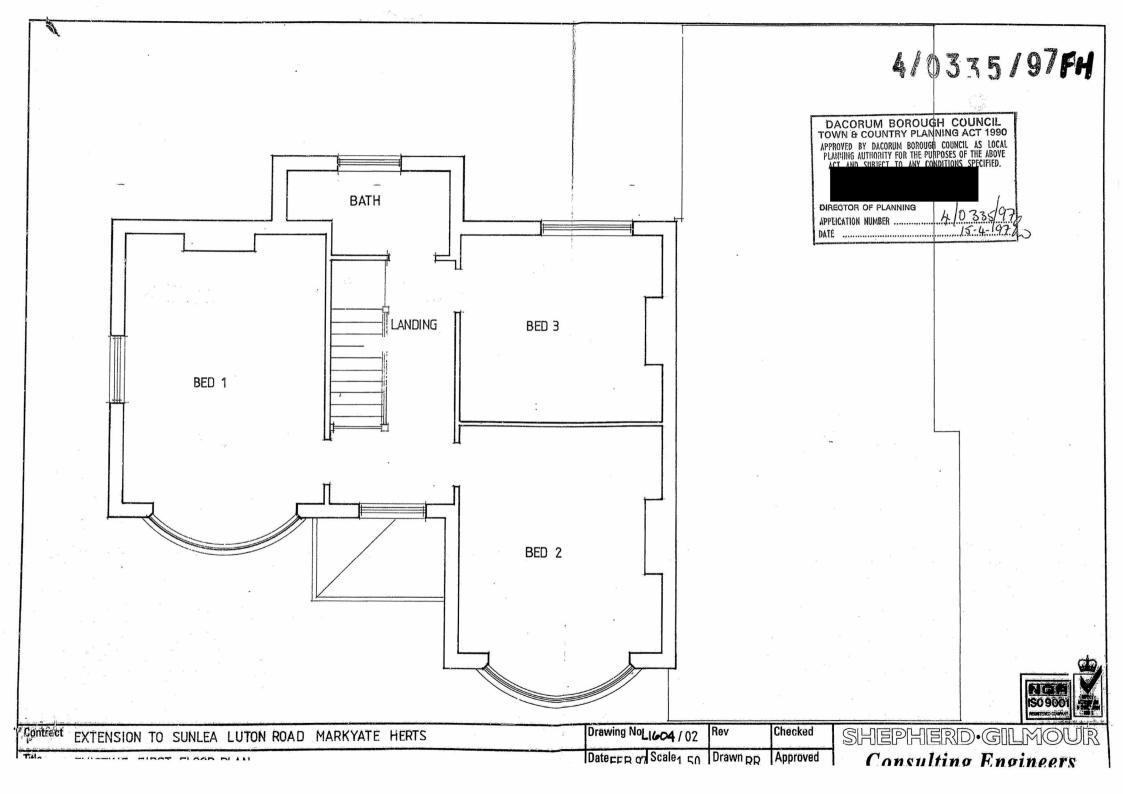
Date of Decision: 15 April 1997

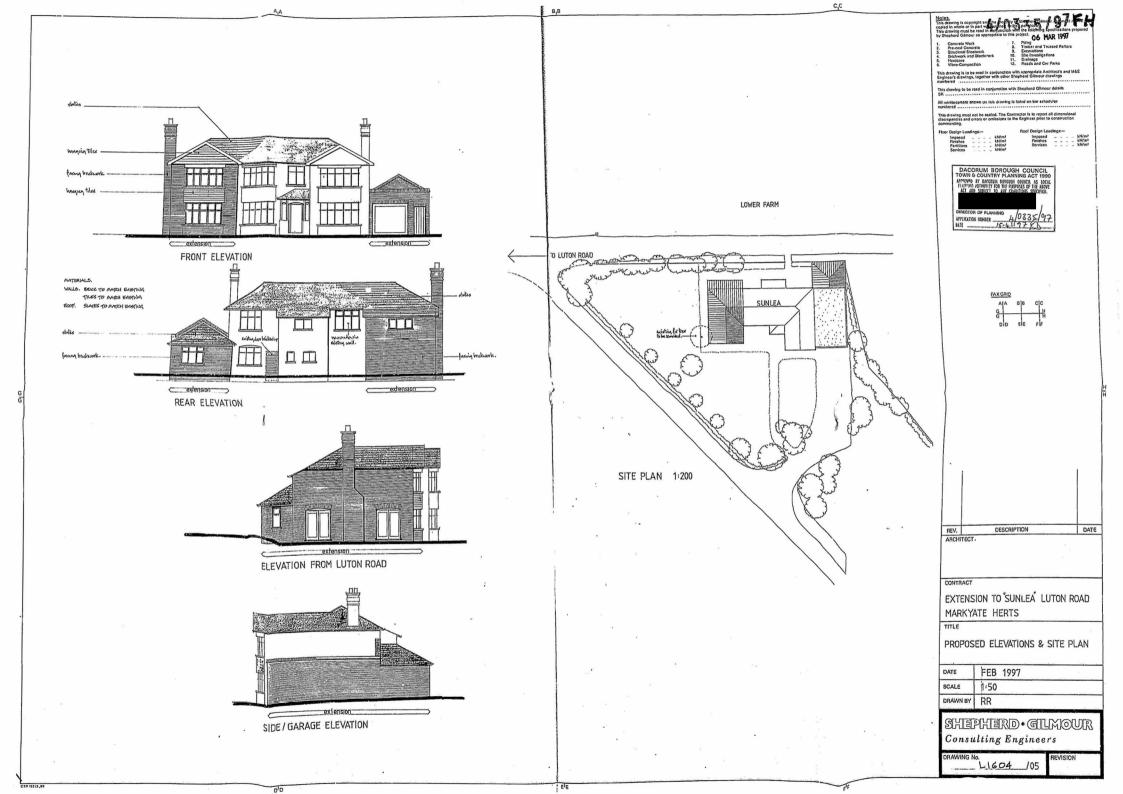
1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

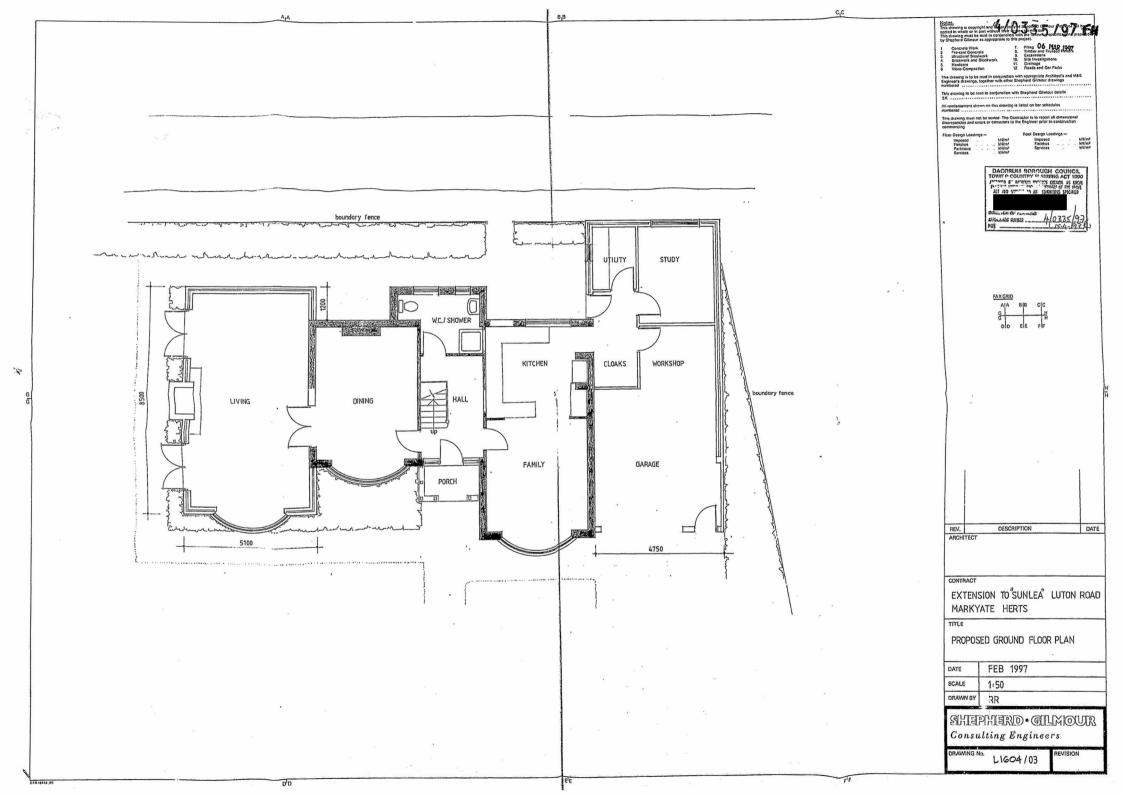
Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990.

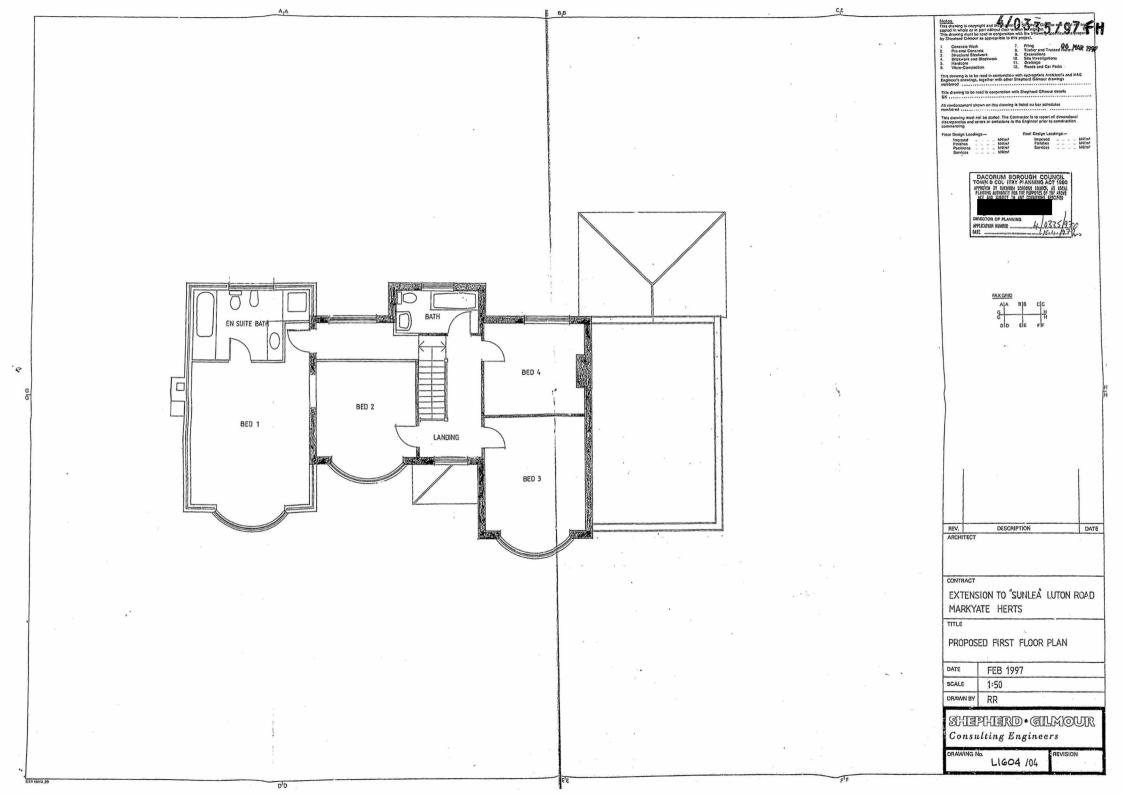
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.

Reason: To ensure a satisfactory appearance to the development.





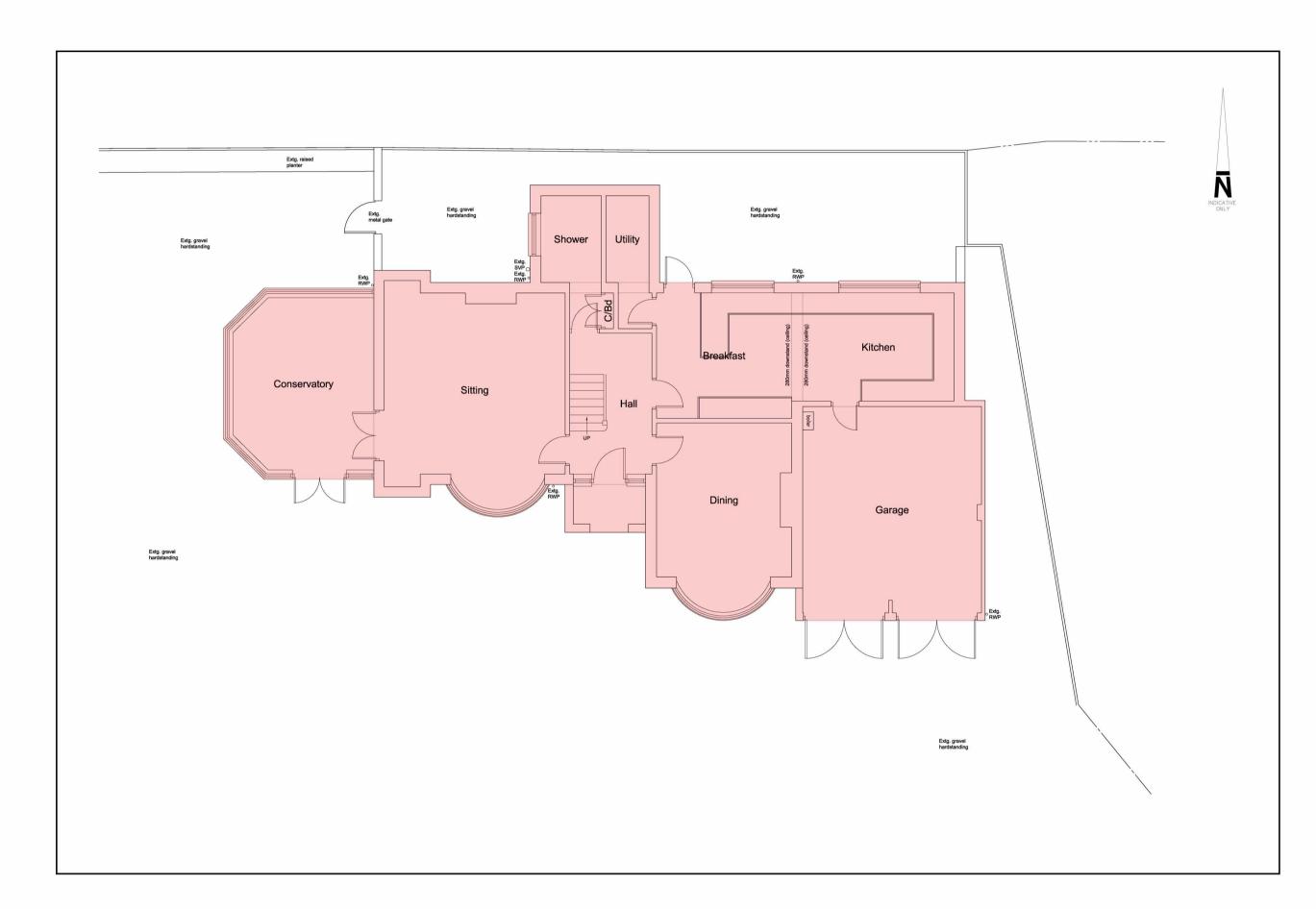




GEA (Gross External Area) sqm – Existing Building Floor Space - A1 - 1-100

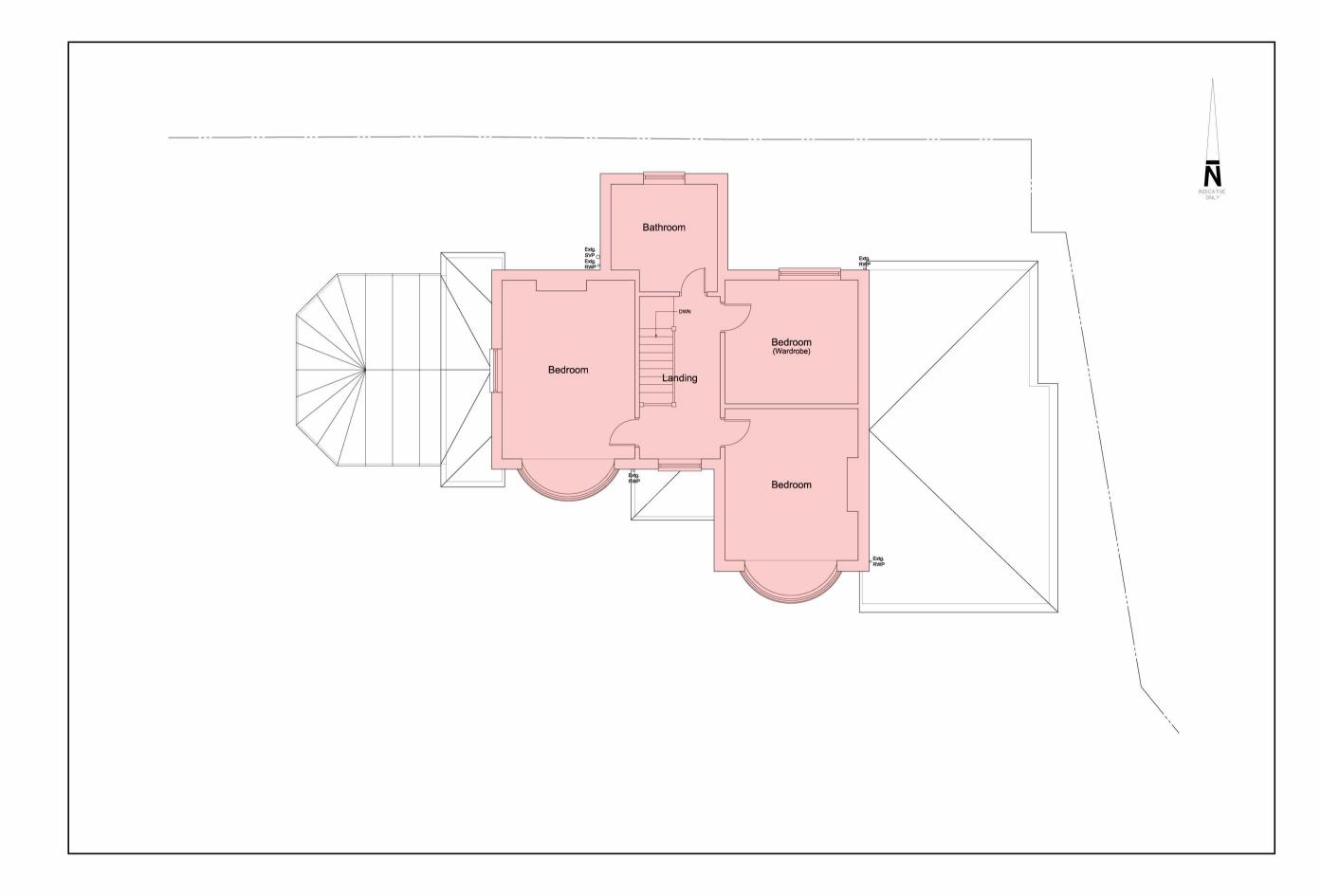
# GEA (Gross External Area) of Existing Building

- Existing Ground Floor shaded red = 161m<sup>2</sup>

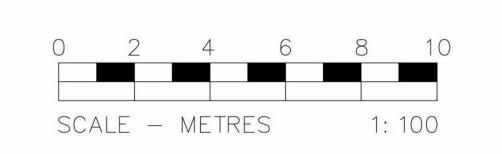


Ground Floor Plan (Scale 1:100)

- Existing First Floor shaded red = 84m<sup>2</sup>



First Floor Plan (Scale 1:100)



Project:	Sun Lea,
	Luton Road, Markyate,
	Herts, AL3 8PZ

Proposed part two storey,
part single storey side front
and rear extensions and int. alts.

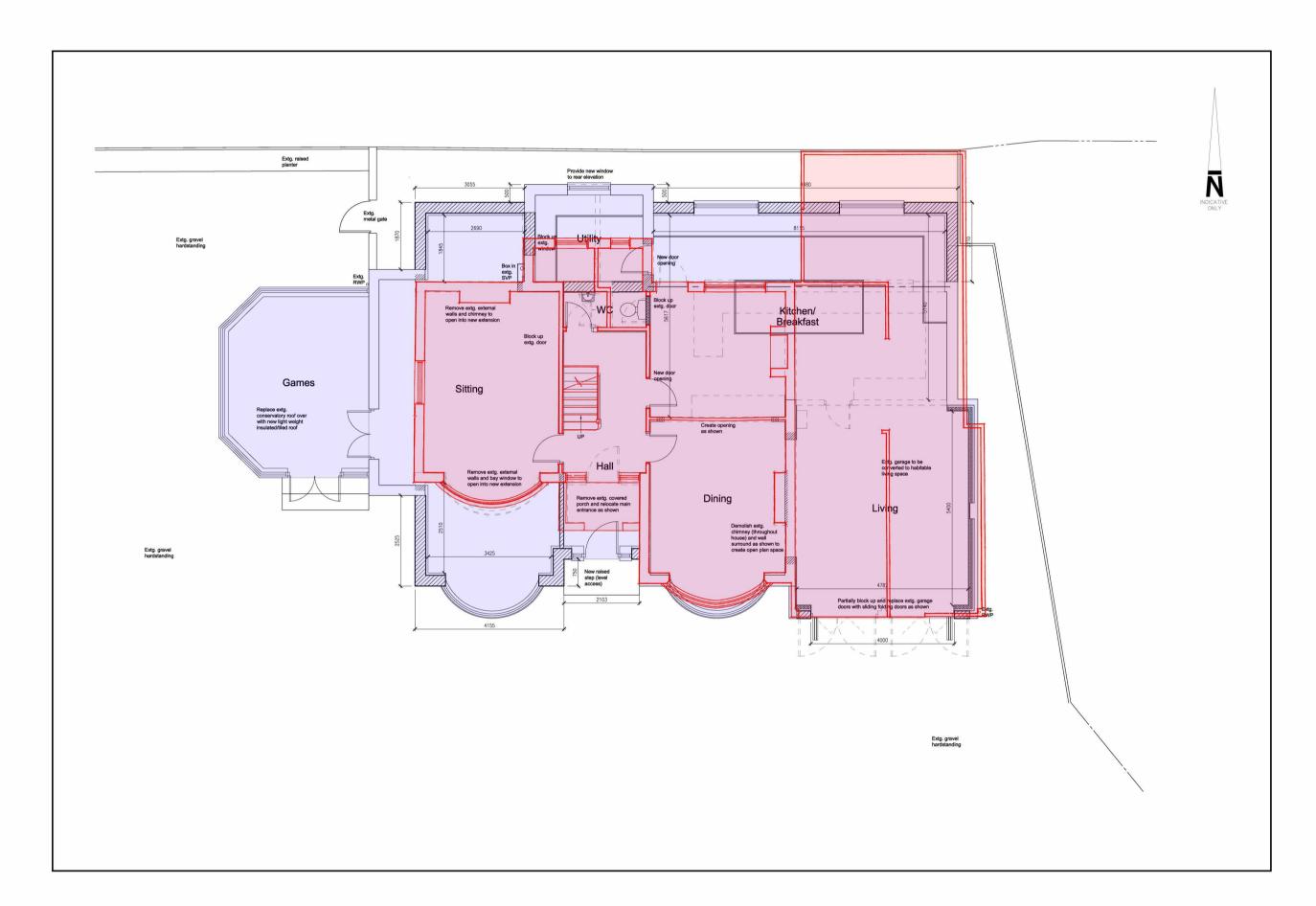
Exisitng Building Floorspace

Dwg Size:	A1	Scale:	1:100
Dwg No:	TM/SU/02	Date:	

# GEA (Gross External Area) sqm – Original Building and Proposed Extensions Floorspace Comparison - A1 - 1-100

# GEA (Gross External Area) of Original Building & Proposed New Extensions

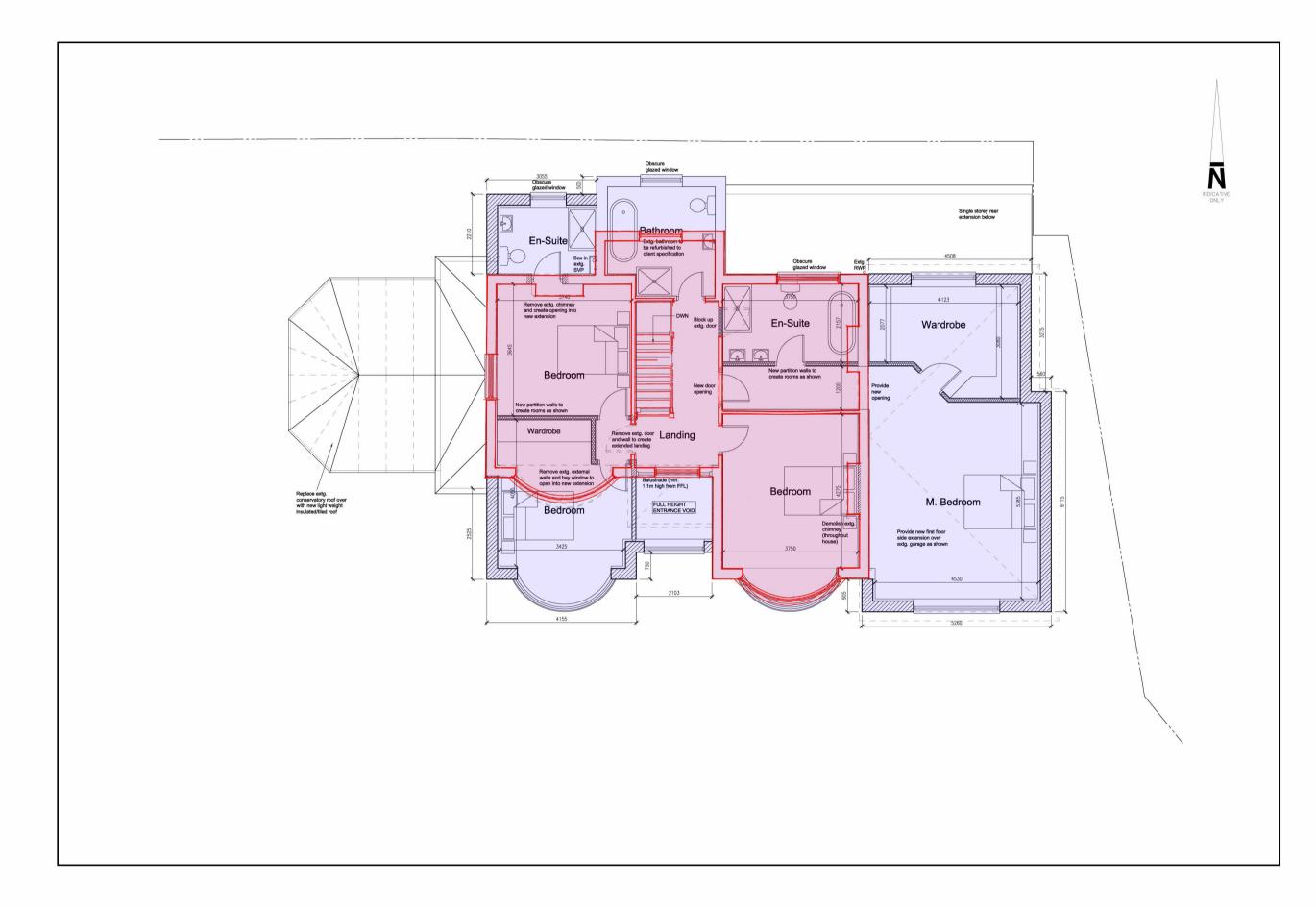
- Original Ground Floor shaded red = 144m<sup>2</sup>
- Proposed Ground Floor shaded blue = 199m<sup>2</sup>



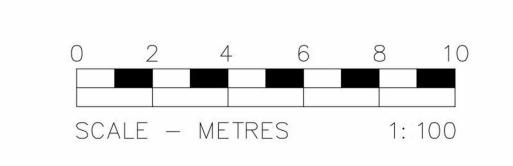
Ground Floor Plan (Scale 1:100)



- Proposed First Floor shaded blue = 152m<sup>2</sup>



First Floor Plan (Scale 1:100)



Project:	Sun Lea,		
	Luton Road, Markyate,		
	Herts, AL3 8PZ		

Proposed part two storey,
part single storey side front
and rear extensions and int. alts.

**Building Floorspace Comparison** 

 Dwg Size:
 A1
 Scale:
 1:100

 Dwg No:
 TM/SU/01
 Date: