

Planning and Development Management  
Three Rivers District Council  
Three Rivers House  
Northway  
Rickmansworth  
WD3 1RL

March 2024

## Application for Planning Permission

### Sanam, Troutstream Way, Loudwater, WD3 4LA

On behalf of Mr. and Mrs. Radia (the applicant), Sphere25 is submitting an application for full planning permission for the description of development as set out below:

*‘Installation of a pre-fabricated outbuilding.’*

The following is attached to this application in support of this request:

- Appropriate fee (under separate cover)
- Design Statement, dated 21.06.2023
- Site Location Plan
- Biodiversity Checklist

#### The Site and its Context

The site is located within the curtilage of Sanam, a detached, two storey dwelling accessed via a private access road from the western end of Troutstream Way, Loudwater.

The main dwelling is set within an extensive plot circa 11,400sqm in size, that is broadly ‘L’ shaped, extending southeast along the banks of a side channel of the River Chess that runs across the site from northwest to southeast direction. The site has a large, landscaped garden and several mature indigenous trees.

The site lies at the south western edge of the Loudwater Estate Conservation Area (designated 1998), although the site does not include any structures or buildings identified as designated or non-designated heritage assets.

The area of the site relating to this application is located adjacent to the northern boundary of the site, highlighted in red on the located plan, herein after known as ‘the site’.

This area of the site is located within the boundaries of the Metropolitan Green Belt. Existing built form includes two concrete pads and a concrete footbridge providing pedestrian access over the river.

There are a number of mature trees within the site, particularly along the site boundaries. Those along the eastern boundary are protected by area Tree Preservation Order TPO015 and all other trees within the site are protected by virtue of the area's designation as Conservation Area.

Areas of the site are designated Flood Zone 2 and 3, however all proposed built form on site falls within Flood Zone 1.

The main dwelling is currently under refurbishment works in accordance with application 21/2156/FUL Approved 19 November 2021 and subsequent applications for works to provide a rear extension, façade changes, internal layout changes and a detached garage block.

A full list of planning history for the entire ownership area is included in Appendix 1.

## Proposal

The proposal is for the installation of a garden room/outbuilding along the northern boundary of the site for the incidental enjoyment of the dwelling. The proposal intends to utilise one of the existing concrete pad foundations located along the northern boundary of the site, measuring 7.9m wide and 5m deep. The concrete was originally laid for an outbuilding many years prior to the current owners occupation of the site.

Historic imagery on google maps shows structures on the concrete slab up to 2018. The earliest available imagery shows structures in 1999, as shown in Appendix 2.

The proposed structure is a low-profile, single-story room circa 6.5m wide and 4.5m deep, with 20.5 sqm internal space and measuring less than the existing concrete slab foundation. The room will be for the incidental enjoyment of Sanam such as an office, meditation room, fitness and yoga.

The structure is light weight in appearance with three facades made of glass with minimalist dark grey framing. The rear wall and fascia will receive an off white render. The colour pallet and materials have been chosen to reflect the approved materials of the main dwelling.

Further details are included within the submitted Design Statement by Rohacs Architecture.

## Planning Policy

The relevant Three Rivers development plan policies include:

- The Core Strategy (2011) policies CP1, CP9, CP10, CP11 and CP12.
- Development Management Policies DM1, DM2, DM6, DM13, Appendix 2 and 5.

In addition, the National Planning Policy Framework (NPPF) provides guidance at the national level and is an important material consideration in the determination of planning applications with particular relevance to:

- NPPF Chapter 13 'Protecting Green Belt Land'

## Planning Assessment

The key planning matters relating to the application are discussed below.

### Greenbelt

This area of the site is located within the Green Belt. The NPPF paragraph 152 states that 'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'. The exceptions are outlined in paragraph 154 including points c, d and g which are relevant to this application.

*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;*

*d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*

*g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development;*

The proposal is for the installation of an outbuilding on an existing concrete slab in the garden of Sanam, the host dwelling. The garden room will provide residential uses incidental to the enjoyment of the dwelling.

In relation to exception c, appeal decision APP/N0410/W/22/3307640 p. 9 states that '*An outbuilding does not have to be attached to a dwelling to be an extension for the purposes of paragraph 149 (c)*' (updated to 154c) '*Relevant case law makes it clear that the paragraph is not to be interpreted as solely 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 proposed use of the outbuilding is for the incidental enjoyment of Sanam such as an office, meditation room, fitness and yoga, purposes all related to the occupation of the dwelling despite the separation. The distance separating the outbuilding and the dwelling is acceptable given the scale of the site and use as residential garden. It is not uncommon for such structures to be located in similar locations and distances as seen in neighbouring dwellings.

The structure will be visible from the host dwelling and vice versa with similar materials and contemporary design, ensuring that the structure is viewed in conjunction with the host dwelling as a subordinate feature.

In relation to point d and g, the concrete slab was in place long before the applicant had ownership of the site. Historic google map images show the concrete slab in place in the earliest available imagery, in 1999. Additionally a structure can be seen to be present on the slab up until 2018.

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<sup>1</sup> Warwick DC v SSLUHC, Mr J Storer & Mrs A Lowe [2022] EWHC 2145 (Admin).

Screenshots from google earth are shown in Appendix 2.

Whilst it is understood that the any previous structures have already been removed it can be confidently assumed that they comprised single story outbuilding incidental to the enjoyment Sanam. The proposal will utilise the existing concrete slab that once acted as the foundation for the previous structure.

The current proposal is smaller in size than the concrete slab with a modest footprint and small in scale at circa 6.5 by 4.5m utilising a low profile flat roof, thus ensuring that there is no greater impact on the openness of the green belt in this area than any previous structures.

### **Design Scale and Massing**

Whilst the proposal can be viewed in conjunction with the host dwelling, there is limited visibility of this part of the site from the public realm and neighbouring properties. The room is located along the northern boundary of the site, in an area obscured by dense mature vegetation and existing built form.

The size and scale of the proposed garden room is modest and proportionate when considered in the overall context of the site and the host dwelling. The proposed garden room measures circa 6.5m wide, 4.5m deep and 3m tall and would be easily identified as an outbuilding of Sanam.

The garden room has been designed to sit in cohesion with the host dwelling utilising the same materials, colour pallet and contemporary design, it is not considered that there would be unacceptable harm to the setting of the Loudwater Conservation Area for this reason. The room would not be a prominent or incongruous feature of the site and would not detract from the character of the area.

The applicant intends to use the garden room incidental to the enjoyment to the dwelling, including uses such as an office, meditation room, fitness and yoga. The garden room is not for use as a separate dwelling.

The proposal aims to preserve and enhance the Conservation Area as required by the NPPF and would be in accordance with Policies CP1 and CP12 of the Core Strategy, Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD and the Loudwater Conservation Area Appraisal (2013).

### **Impact on Residential Amenity**

The location of the garden room ensures extensive separation distances from the nearest neighbouring property at approximately 50m and therefore it is not considered that the proposal would result in unacceptable harm to their amenity.

Therefore, the proposal is in accordance with Policies CP1, CP12 as well as Policy DM1 and Appendix 2 of the Development Management Policies LDD, ensuring that all developments maintain acceptable standards of privacy for both new and existing residential buildings and do not result in loss of light to the windows of neighbouring properties nor allow overlooking.

## **Trees**

The trees across the site are protected by virtue of the Conservation Area. Policy DM6 ensures that proposals seek to preserve and enhance trees and other landscape and nature conservation features.

There are a number of trees within the vicinity, however it should be noted that the proposed garden room is to be sited on an existing concrete pad that has been in situ for many years prior to the applicants occupation of the site.

No groundworks will be required to install the garden room ensuring no risk to root systems and the proposed building height sits below the crown of the nearest tree ensuring no branches minimal impact on branches of the tree, therefore it is not considered that there will be risk of detrimental impact to surrounding trees.

A biodiversity checklist has been submitted with the application that shows that a biodiversity survey and assessment is not required. It is considered unlikely there would be any harm to any protected species.

## **CIL**

The proposal is part of a householder application. There are no new residential dwellings being created and the proposal is less than 100sqm therefore the proposal is not liable for CIL as per the CIL Regulations 2010.

## **Conclusion**

The proposal is for an outbuilding for use as a garden room incidental to the enjoyment of the host dwelling, Sanam. The proposed building is modest in scale and sited on an existing concrete pad where outbuilds have been located before.

The lightweight design ensures little adverse impact on the character of the surrounding area and is in keeping with the main dwelling, whilst ensuring the structure is viewed in conjunction with the main dwelling. There is minimal risk to trees or residential amenity.

For the reasons outlined above It is respectfully requested that planning permission be granted.

Should you require further information at this stage please do not hesitate to contact me.

Yours Sincerely,

**Peter Jeffery**  
**Managing Director**



## Appendix 1: Full available planning history

8/798/81 – Indoor swimming pool – Permitted 08.01.1982.

8/25/90 – Erection of detached garage – Permitted 06.04.1990.

13/1919/FUL – Erection of pergola, infill extensions, alterations to fenestration and existing raised terrace, hard and soft landscaping to include re-siting of existing drive and construction of a fountain – Permitted 17.12.2013, not implemented.

20/2797/FUL – Single storey rear extensions including rear balcony, front canopy porch, alterations to external materials and fenestration, and construction of detached garage and associated additional hardstanding – Withdrawn 03.03.2021.

21/2156/FUL - Part single, part two-storey rear extensions including rear balcony, front canopy porch, alterations to external materials and fenestration and construction of detached garage and associated additional hardstanding – Permitted 19.11.2021, currently under construction.

23/1081/NMA - Non-material amendment to planning permission 21/2156/FUL to allow increase the height of side dormer and balustrading to first floor balcony, increase in width of chimney, alterations to roof tiles, external materials, internal alterations and alterations to fenestration – Withdrawn 27.07.2023.

23/1083/FUL - Construction of an outbuilding – Withdrawn 04.09.2023.

23/1743/FUL - Variation of Condition 2 (plan numbers) and Condition 3 (Materials) pursuant to planning permission 21/2156/FUL for alterations to fenestration and side dormer; increase to width of chimney; lowering of parapet wall height and alterations to garage parapet – approved 20.12.2023, currently under construction.

## Appendix 2: Historical Google Maps Imagery showing the existing concrete mad and former structures dated 1999-2018

Figure 1: Structures shown in May 2018, circled in red.



Figure 2: Structures shown in March 2017, circled in red.





Figure 3: Structures shown in September 2019, circled in red.



