

DELEGATED FILE NOTE

CASE OFFICER: ...Andrew Hunter.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02693/FPH	Two storey side extension. Alterations to fenestration	The Garden House Putteridge Park Luton Hertfordshire LU2 8LD

Submitted Plan Nos

Location Plan 0773BP-A 0773-1A 0773-2A 0773-3A

1.0 Policies

D1 Sustainable design

D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
HE1	Designated heritage assets
SECN12	Achieving well-designed places
SECN13	Protecting Green Belt Land
SECN16	Conserve + enhance historic environment
SP13	Historic environment
SP9	Design and Sustainability
SP5	Countryside and Green Belt

2.0 **Relevant site history**

2.1 19/00575/FPH - Single storey front extension – Approved 16/05/19.

2.2 18/02206/FPH - Single storey front extension (as amended by plans received 26 November 2018) – Refused 21/01/19 for:

1. By reason of the size of the proposed extension and cumulative impact when taken with other extensions to the property the proposed development would result in disproportionate additions to the original dwelling that would adversely affecting the openness of the Green Belt in this location. The proposals amount to inappropriate development in the Green Belt and no very special circumstances have been advanced which would outweigh the harm caused by the inappropriateness of the development. The proposal would be contrary to the provisions of Policy 2 of the North Hertfordshire District Local Plan No. 2 with Alterations, SP5 & CGB4 of the 2011-2031

Local Plan Proposed Submission and paragraphs 144 and 145 of Section 13 of the National Planning Policy Framework.

2. By reason of its flat roof design with heavy cornice detail, overall depth of projection/scale and prominent siting the proposed single storey front extension would be unsympathetic to the existing house in terms of form and design contrary to the provisions of Saved Policy 28 and Policy 30 of the North Hertfordshire District Local Plan No. 2 with Alterations, policies D2 and CGB4 of the Proposed Submission and the guidance set out in Section 12 (Requiring good design) of the National Planning Policy Framework.

- 2.3 18/00859/FPH - Single storey front /side extension – Withdrawn 14/05/18.
- 2.4 17/00412/1HH - Creation of dormer window to rear roof elevation to provide safe access in to existing loft room – Approved 27/04/17.
- 2.5 12/00243/1LB - Single storey rear extensions incorporating listed wall – Approved 03/04/12.
- 2.6 12/00241/1HH - Single storey rear extensions incorporating listed wall - Approved 03/04/12.
- 2.7 09/01153/1HH - Two storey front extension and chimney – Refused 26/11/09 for:
1. The front extension, by reason of its forward projection and size, would result in a disproportionately large house in comparison to the pre-1999 cottage which would have an overbearing impact upon the setting of the listed walled kitchen garden, which itself positively contributes to the setting of Putteridge Bury. Furthermore, it would adversely affect the visual relationship between the Garden House and its neighbour, The Old Estates Office, thereby harming the appearance of this part of the Registered Park and Gardens. The application is therefore considered to fail to comply with the provisions of PPG15 - Planning and the Historic Environment.
 2. The application site is within an area designated in the North Hertfordshire District Local Plan no.2 with Alterations as Green Belt, within which there is a presumption against inappropriate development, such as that proposed, unless very special circumstances can be demonstrated. In the view of the Local Planning Authority the proposal is not supported by such circumstances. Moreover, it would harm the fundamental aim of Green Belt policy which seeks to maintain the openness of the area. As such, the proposal would not accord with the provisions of Policy 2 of the District Local Plan no.2 with Alterations 1996 or with the provisions of PPG2 - Green Belts.
- 2.8 05/00198/1HH - Erection of detached triple garage – Approved 21/03/05.
- 2.9 04/01365/1HH - Detached triple garage – Refused 12/10/04 for:
1. The site is within an area that is designated in the County Structure Plan for Hertfordshire and North Hertfordshire District Local Plan as Green Belt. Within that area there is a general presumption against the proposed development. In the view of the Local Planning Authority, the nature of the proposal is inappropriate for the Green Belt and does not justify that strong presumption being overridden, particularly as the structure would be conspicuously sited, in a position where it would be prominent and intrusive to the rural area and environment of this part of the Putteridge Park Estate. As a result the proposed development would not comply with the provisions of Policies 2 and 30 of the North Hertfordshire District Local Plan No. 2 with Alterations.
 2. The proposed garage by reason of its size, siting and design would present an intrusive and alien feature which would not only detract from the appearance and setting of the curtilage historic Listed wall to Putteridge Bury but would also generally

detract from the openness and general character and appearance of the location as part of the country park.

- 2.10 01/00224/1LB - Side conservatory, detached double garage – Approved 09/04/01.
- 2.11 01/00223/1HH - Side conservatory, detached double garage - Approved 09/04/01.
- 2.12 00/00858/1HH - Single storey rear extension – Withdrawn 08/08/00.
- 2.13 00/00857/1LB - Listed Building Consent : Single storey rear extension - Withdrawn 08/08/00.
- 2.14 99/01329/1HH - Two storey front extension with new chimney stack – Approved 08/12/99.

3.0 **Representations**

3.1 **Ecologist** - No ecological information has been provided but there would be no ecological objection, it's a householder application no BNG. Given the house is old and surrounded by woodland it would be advisable to add a bat informative as the proposal involves works to the tiled roof.

3.2 **The Gardens Trust** - Do not wish to comment on the proposals at this stage.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site is a detached two storey dwelling with a pitched roof in a spacious plot. The dwelling is attached to a Grade II listed wall. The site is near a small group of other dwellings in a rural area.

4.1.2 Grade II listed Putteridge Bury house and stables are a short distance to the east, which are now used by the University of Bedfordshire. The site is within Putteridge Bury Grade II listed Historic Park and Garden. The site is within the Green Belt.

4.2 **Proposal**

4.2.1 A two storey side extension with a pitched roof, and a re-located ground floor side window.

4.3 **Key Issues**

4.3.1 The key material considerations are whether the development is acceptable in principle, design and heritage, and neighbour amenity.

Principle

4.3.2 The site is in the Green Belt. Policy SP5 of the adopted Local Plan states that the Council will only permit development proposals in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated. Policy SP5 refers to the National Planning Policy Framework (NPPF) which sets out exceptions to inappropriate development in the Green Belt in paragraphs 154 and 155 (December 2024 version). Para. 155 is not relevant, and the relevant part of 154 is:

154. Development in the Green Belt is inappropriate unless one of the following exceptions applies:

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;

- 4.3.3 In assessing the proposal against the above criteria, the proposed development is considered to be an addition to the dwelling. The existing dwelling is not original, having been extended following planning permissions 99/01329/1HH, 01/00223/1HH, 05/00198/1HH, 12/00241/1HH, 17/00412/1HH, and 19/00575/FPH.
- 4.3.4 The dwelling before the 1999 planning permission is considered original. The cumulative increase in floorspace following the 1999 and subsequent approvals is about 122%, based on the floorspace at 1999 as being approx. 197 sqm. The proposed side extension would increase this further to approx. 125%.
- 4.3.5 Notwithstanding the relatively modest scale of the proposed extension compared to the existing dwelling, planning policy requires the assessment to be against the original dwelling house. The cumulative enlargement to the original building equates to a total of 125% increase in the original floorspace, which is considered to be a disproportionate addition over and above the size of the original building. Therefore, the proposal is contrary to 154 c) of the NPPF, and is inappropriate development, which by definition is harmful to the Green Belt.
- 4.3.6 To further assess the proposed impacts on the Green Belt, the site contributes to purpose c) of 143 of the NPPF, which is to assist in safeguarding the countryside from encroachment. The proposed development through the addition of a further extension would extend the built form of the main dwelling further south, albeit the development would be on an existing gravel driveway which is near a site boundary wall and two other buildings. Notwithstanding the limited size of the proposal, this would result in encroachment into the countryside.
- 4.3.7 The proposed extension would be visible outside the site to the west, and it would result in a further enlargement of the building to the south. The proposal would therefore result in loss of openness to the Green Belt, spatially and visually. This is additional harm above harm that would be caused by reason of inappropriateness.
- 4.3.8 Inappropriate development in the Green Belt should not be approved except in very special circumstances (VSC's), as stated in para. 153 of the NPPF. VSC's 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. Whether there are any other harms and VSC's will be assessed at the end of this report.

Design and heritage

- 4.3.9 There are no objections to the re-sited ground floor side window as this will have similar impacts to the existing window as both locations are close to each other.
- 4.3.10 The building has a Grade II listed wall built into its rear that forms part of the outer wall of the walled garden of Putteridge Bury. The proposed extension would be wholly on the south side elevation, not the rear, and will not physically affect the wall. It's not considered that the extension will be harmful to the setting and significance of the listed wall due to its small size and as it won't have greater impacts on the setting and

significance as the existing building. In this regard the proposal complies with S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 4.3.11 In terms of the proposed design and assessment of the impact of the proposal on the character and appearance of the area this is undertaken in relation to the existing dwelling house. Notwithstanding the identified harm to the Green Belt, the extension would be small in relation to the present dwelling and would not result in significant harm to the character and appearance of the host dwelling and the surrounding area. Whilst the extension would have a spatial and visual impact upon the Green Belt it would be set back from the front of the dwelling and site and appear subservient to the existing dwelling house. The extension for the reasons set out above would not result in harm to the significance and setting of the Historic Park and Garden. Therefore, notwithstanding the identified harm to the Green Belt, the proposal complies with Policies D1, D2 and HE1 of the adopted Local Plan; and Sections 12 and 16 of the NPPF.

Neighbour amenity

- 4.3.12 There is one property near the proposed extension – Luke’s Place, which is an assisted living residence. This is a C-shaped building and has a large garden area to its east and to the south of the dwelling the subject of this application.
- 4.3.13 The proposed extension would project for a small depth out from the side of the building and would have a hipped roof, and would be clearly set away from the garden and building of Luke’s Place. As such it’s not considered that the proposed extension would appear overbearing from or cause loss of light for that neighbouring building. The first floor front window of the extension would primarily provide views of the driveway of the site and will not cause loss of privacy. The proposal is not considered harmful to amenity. The proposal complies with Policy D3 of the adopted Local Plan and Section 12 of the NPPF.

4.4 Balance and Conclusion

- 4.4.1 The proposal would harm the Green Belt by reason of inappropriateness, would conflict with one Green Belt purpose (purpose C) and result in further harm through loss of openness.
- 4.4.2 The applicant has set out very special circumstances (VSC’s) as to why the proposal should be approved, which is:
- ☐ Ensuring that the house provides the facilities needed for the current frail/disabled occupant and for future occupants who may need ground floor disabled/wheelchair bedroom facilities.
- 4.4.3 In assessing this VSC put forwards, while it’s acknowledged that the new bathrooms would provide additional facilities, there are bathrooms on both floors of the dwelling. albeit they’re slightly further away from the downstairs bedroom.
- 4.4.4 The dwelling is also relatively large, with many rooms. A ground floor bedroom with en-suite bathroom could be provided on the ground floor within the existing building envelope through repurposing of one or more rooms. For example, the existing cinema room could be changed to a bedroom, and an en-suite bathroom provided within that room. Although at first floor level there are currently 4 en-suite bathrooms/shower rooms and a family bathroom, a smaller en-suite could also be added into the first-floor bedroom the proposed en-suite would serve.

4.4.5 Due to the above it's not considered that there are VSC's for the proposed extension, as the proposed bathrooms could be accommodated internally.

4.4.6 In the absence of material planning reasons to the contrary it is my view that planning permission is **REFUSED**.

5.0 **Recommendation**

5.1 That planning permission be **REFUSED** for the following reason:

1. The proposed development would be inappropriate development in the Green Belt by definition and would cause further harm through loss of openness. The proposal does not comply with Policy SP5 of the Local Plan and Section 13 of the NPPF.

Proactive Statement:

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council has not acted proactively through positive engagement with the applicant as in the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. Since no solutions can be found the Council has complied with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 15 January 2025	