

11. 18/0534/FUL - Construction of single storey front extensions and two storey rear extension at MAPESBURY, SANDY LANE, NORTHWOOD, HA6 3HA for Mr S Gulrajani

Parish: Batchworth Community Council
Expiry of Statutory Period: 11/05/2018

Ward: Moor Park & Eastbury
Case Officer: Tom Norris

Recommendation: That Planning Permission be granted

Reason for consideration by the Committee: A Councillor lives within the neighbour consultation area.

1. Relevant Planning History

- 1.1 8/4/78 - Two storey side extension and porch (Amended scheme) - 20.01.1978 – Permitted
- 1.2 8/519/77 - Two storey side extension - 13.09.1977 – Permitted

2. Description of Application Site

- 2.1 The application site comprises a two-storey, detached dwelling on the south-western side of Sandy Lane, Northwood. The application dwelling is set back from the public highway by approximately 35m.
- 2.2 The application dwelling has dark tiled hipped roof forms with front gable end features. The exterior of the dwelling is white painted with dark wooden beam features in a Tudor revival style.
- 2.3 To the front of the dwelling is a soft landscaped front garden and a gravel driveway. There is a row of mature trees abutting the front site boundary which largely obscures views of the application dwelling from the public highway.
- 2.4 The neighbouring dwellings are largely positioned on the same building line on this part of Sandy Lane. The neighbour to the south-east at Milverton Lodge is of similar scale and architectural style and finish to the application dwelling. The neighbour to the north-west at Lathom Lodge is of similar scale to the application dwelling however differs in architectural style and finish.
- 2.5 The streetscene along this part of Sandy Lane can be characterised by detached dwellings of varied style, set back from the public highway.

3. Description of Proposed Development

- 3.1 Full planning permission is sought for the construction of a single-storey front porch extension, a single-storey front extension to create an attached garage and a two-storey rear extension.
- 3.2 The single-storey front porch extension would replace the existing porch and would have a depth of 1.6m from the principal front elevation of the dwelling and a width of 5.3m. The porch would have a mono-pitched roof form with an eaves height of 2.5m and a maximum overall height of 3.7m. A door would be inserted in the front elevation of the porch. It is proposed that the porch would be finished in materials to match the host dwelling.
- 3.3 The single-storey front extension to create an attached garage would have a depth of 8.0m from the principal front elevation of the dwelling and a width of 8.0m. The garage would have a part hipped, part crown roof with an eaves height of 2.5m and a maximum

overall height of 3.7m. A garage door would be inserted in the front elevation. It is proposed that the garage would be finished in materials to match the host dwelling.

3.4 The two-storey rear extension would have a maximum depth of 3.6m from the principal rear elevation of the dwelling. The extension would be built in line with the north-western flank elevation of the dwelling and would have a width of 9.04m. The extension would have hipped roof forms with a maximum overall height of 10.4m from natural ground level; set down 0.5m from that of the maximum overall ridge height of the dwelling. The eaves height of the extension would match that of the host dwelling with a maximum height of 6.5m.

3.5 To accommodate the proposed two-storey rear extension, it is proposed that the north-easternmost of the two chimneys is removed. It is also proposed that one mature tree to the rear of the property is removed.

3.6 Amended plans were sought during the application process which removed the first floor balcony proposed as part of the two-storey rear extension. The flat roof form of the two-storey rear extension was also altered to incorporate hipped roof forms.

4. Consultation

4.1 Statutory Consultation

4.1.1 Batchworth Community Council: No response received.

4.1.2 National Grid: No response received.

4.1.3 Landscape Officer: No response received.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 5 No responses received: 0

4.2.2 Site Notice posted 21.03.2018, expired 11.04.2018 Press Notice not required.

4.2.3 Summary of Responses: No responses received to date.

5. Reason for Delay

5.1 None.

6. Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

On 27 March 2012, the framework of government guidance in the form of Planning Policy Statements and Planning Policy Guidance Notes was replaced by the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This

applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

6.2 The Three Rivers Local Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP9, CP10 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM6, DM13 and Appendices 2 and 5.

The Site Allocations Local Development Document (SALDD) was adopted on 25 November 2014 having been through a full public participation process and Examination in Public.

6.3 Other

The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

7. **Planning Analysis**

7.1 Impact on Character and Street Scene

7.1.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.

7.1.2 The single-storey front porch extension would replace the existing porch and would have a depth of 1.6m from the principal front elevation of the dwelling and a width of 5.3m. The porch would have a mono-pitched roof form with an eaves height of 2.5m and a maximum overall height of 3.7m. It is considered that the proposed porch would be of such a scale that it would not appear incongruous or visually harmful to the host dwelling or streetscene of Sandy Lane. It is also noted that the application dwelling is set some 35m from the public highway such that views of this element of the proposal would be limited.

- 7.1.3 The single-storey front extension to create an attached garage would have a depth of 8.0m from the principal front elevation of the dwelling and a width of 8.0m. The garage would have a part hipped, part crown roof with an eaves height of 2.5m and a maximum overall height of 3.7m. The Design Criteria at Appendix 2 of the DM Policies Document states that, for front extensions, *applications will be assessed on their individual merits but should not be excessively prominent in the street scene*. The proposed extension would be built in line with the north-western flank elevation of the dwelling such that it would be more visible from the public highway than the proposed porch however views would still be largely limited. It is noted that there is a particularly varied building line to the frontage of the dwellings on this part of Sandy Lane with a number of dwellings having implemented front extensions and detached garages within the spacious front gardens. It is therefore considered that the proposed front garage extension would not appear out of character within or result in demonstrable harm to the streetscene. It is also considered that, in the context of the scale of the host dwelling, the extension would not be disproportionate such that demonstrable harm to the character of the host dwelling or streetscene would arise.
- 7.1.4 The two-storey rear extension would have a maximum depth of 3.6m from the principal rear elevation of the dwelling. The extension would be built in line with the north-western flank elevation of the dwelling and would have a width of 9.04m. The extension would have hipped roof forms with a maximum overall height of 10.4m from natural ground level; set down 0.5m from that of the maximum overall ridge height of the dwelling. The eaves height of the extension would match that of the host dwelling with a maximum height of 6.5m. Views of the proposed rear extension would largely be limited from the streetscene of Sandy Lane however some oblique views between the application dwelling and Lathom Lodge as well as some limited views of the roof may exist from public vantage points. It is however considered that the proposed extension would not appear harmful to the streetscene of Sandy Lane. The proposed extension can be described as infill however would extend a maximum depth of 3.6m from the principal rear elevation of the dwelling. It is therefore considered that the proposed extension would respect the host dwelling in terms of its scale and as such it is not considered that it would result in harm to its character.
- 7.1.5 To accommodate the proposed two-storey rear extension, it is proposed that the north-easternmost of the two chimneys is removed. Whilst one chimney stack is to be removed, the dwelling would still retain a chimney which would contribute to retaining the overall character and appearance of the dwelling.
- 7.1.6 In summary, it is considered that the proposed development would not result in harm to the visual amenities of the street scene or character and appearance of the area. The proposal would therefore be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy, Policies DM1 and Appendix 2 of the Development Management Policies LDD.

7.2 Impact on amenity of neighbours

- 7.2.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Policy DM1 and Appendix 2 of the Development Management Policies document set out that residential development should not result in loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.
- 7.2.2 The proposed two-storey rear extension would extend the built form along the boundary with Lathom Lodge by some 6.91m at two-storey level. A minimum spacing of some 2.5m from the proposed extension and the shared boundary with this neighbour would be

retained. It is therefore considered that given the scale and spacing, with the roof to be hipped away from the shared boundary, the proposed two-storey rear extension would not lead to a detrimental loss of light to the neighbour at Lathom Lodge to justify refusal of planning permission. Glazing is proposed in the flank elevation at first floor level facing Lathom Lodge however this would serve a bathroom and would be conditioned to be obscure glazed and non-opening below 1.7m from internal floor level. The proposed glazing to the rear elevation of the extension at first floor level would provide some views towards the end of the rear garden of Lathom Lodge however it is not considered that they would be materially different to those that can be achieved currently and as such it is not considered that unacceptable levels of overlooking would arise from the proposed development.

- 7.2.3 The proposed two-storey rear extension would be sited such a distance from the adjoining neighbour at Milverton Lodge that it is considered that it would not lead to any degree of overshadowing. There would be glazing in the flank elevation at ground floor level facing towards Milverton Lodge however it is not considered that this would give rise to any unacceptable level of overlooking. The proposed glazing to the rear elevation of the extension at first floor level would provide some views towards the end of the rear garden of Milverton Lodge however it is not considered that they would be materially different to those that can be achieved currently.
- 7.2.4 The proposed front garage extension would be built in line with the north-western flank of the dwelling adjacent to the boundary with Lathom Lodge. It is considered that, given its single-storey scale and the distance of at least 3.0m maintained between the proposed garage and the shared boundary, it would not have an overbearing impact or lead to a loss of light to the neighbour at Lathom Lodge.
- 7.2.5 The proposed front garage extension would be sited such a distance from the adjoining neighbour at Milverton Lodge that it is considered that it would not lead to any degree of overshadowing or overlooking to this neighbour.
- 7.2.6 Given its proposed scale and siting, it is not considered that the proposed front porch extension would lead to any degree of overshadowing or overlooking to either adjoining neighbour.
- 7.2.7 In summary, it is not considered that the proposed development would result in any significant adverse impact on the residential amenity of any neighbouring dwelling; subject to conditions the development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies document.

7.3 Wildlife and Biodiversity

- 7.3.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive.
- 7.3.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application.
- 7.3.3 The application has been submitted with a Biodiversity Checklist which states that no protected species or biodiversity interests will be affected as a result of the application.

However, given that the development would affect the roof of the dwelling an informative would be added to any consent advising the applicant what to do should bats be discovered during the course of development.

7.4 Trees and Landscaping

7.4.1 Policy CP12 of the Core Strategy expects development proposals to 'have regard to the character, amenities and quality of an area', to 'conserve and enhance natural and heritage assets' and to 'ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features'.

7.4.2 Policy DM6 of the Development Management Policies document sets out requirements in relation to trees, woodlands and landscaping and sets out that:

- i) Proposals for new development should be submitted with landscaping proposals which seek to retain trees and other important landscape and nature conservation features. Landscaping proposals should also include new trees and other planting to enhance the landscape of the site and its surroundings as appropriate.
- ii) Development proposals on sites which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible, particularly those of local amenity or nature conservation value or hedgerows considered to meet the Hedgerow Regulations 1997.
- iii) Development proposals should demonstrate that existing trees, hedgerows and woodlands will be safeguarded and managed during and after development in accordance with the relevant standards.
- iv) Development should be designed in such a way as to allow trees and hedgerows to grow to maturity without causing undue problems of visibility, shading or damage. Development likely to result in future requests for significant topping, lopping or felling will be refused.
- v) Planning permission will be refused for any development resulting in the loss or deterioration to protected woodland (including ancient woodland), protected trees (including aged or veteran trees) and hedgerows, unless conditions can be imposed to secure their protection.

7.4.3 It is proposed that one mature tree to the rear of the property is removed adjacent to the boundary with Lathom Lodge. The tree is not covered by a Tree Preservation Order and it is considered that its removal would not result in such significant harm to the character and appearance of area with many of other mature trees to be retained along this site boundary. The Council's Landscape Officer was consulted as part of the application process and has not objected.

7.5 Amenity Space

7.5.1 Policy CP12 of the Core Strategy states that development should take into account the need for adequate levels and disposition of amenity and garden space. Section 3 (Amenity Space) of Appendix 2 of the Development Management Policies document provides indicative levels of amenity/garden space provision.

7.5.2 As a result of the proposed development the application dwelling would retain a rear amenity garden of over 1,300sqm. As such it is considered that the provision of amenity space would be acceptable for current and future occupiers.

7.6 Highways, Access and Parking

7.6.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means of access and to make adequate provision for all users, including car parking. Policy

DM13 and Appendix 5 of the Development Management Policies document sets out parking standards for developments within the District.

- 7.6.2 The proposed development would not alter the existing access arrangements or impact upon the existing parking provision serving the site. The site would retain a driveway large enough to accommodate at least three cars, in line with the Council's adopted parking standards for a dwelling of this size.

8. Recommendation

- 8.1 That the decision be delegated to the Director of Community and Environmental Services to consider any representations received and that PLANNING PERMISSION BE GRANTED, subject to the following conditions

- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

- C2 The development hereby permitted shall be carried out in accordance with the following approved plans: TRDC0001 (Location Plan), PA/MAPESBURY/E.01, PA/MAPESBURY/E.02, PA/MAPESBURY/P.03 REV A, PA/MAPESBURY/P.04 REV A, PA/MAPESBURY/P.05 REV A, PA/MAPESBURY/P.06 REV A, PA/MAPESBURY/P.07 REV A, PA/MAPESBURY/P.08 REV A, PA/MAPESBURY/P.09 REV A, PA/MAPESBURY/P.10 REV B

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the locality and the residential amenity of neighbouring occupiers, in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

- C3 No external materials shall be used other than those approved as set out on the application form and shown on the approved plans.

Reason: To ensure that the external appearance of the building is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the flank elevations of the dwelling hereby approved.

Reason: To safeguard the residential amenities of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C5 Before the first occupation of the development hereby permitted the windows in the first floor flank elevations shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the rooms in which

the window are installed. The windows shall be permanently retained in that condition thereafter.

Reason: To safeguard the amenities of the occupiers of neighbouring residential properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

8.2 Informatives

11 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - If your development is liable for CIL payments, it is a requirement under Regulation 67 (1) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority

suggested modifications to the development during the course of the application and the applicant submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

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Bats are protected under domestic and European legislation where, in summary, it is an offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in a roost or deliberately disturb a bat in a way that would impair its ability to survive, breed or rear young, hibernate or migrate, or significantly affect its local distribution or abundance; damage or destroy a bat roost; possess or advertise/sell/exchange a bat; and intentionally or recklessly obstruct access to a bat roost.

If bats are found all works must stop immediately and advice sought as to how to proceed from either of the following organisations:

The UK Bat Helpline: 0845 1300 228

Natural England: 0300 060 3900

Herts & Middlesex Bat Group: www.hmbg.org.uk

or an appropriately qualified and experienced ecologist.

(As an alternative to proceeding with caution, the applicant may wish to commission an ecological consultant before works start to determine whether or not bats are present. A list of bat consultants can be obtained from Hertfordshire Ecology on 01992 555220).