

**11. 18/0748/FUL – Proposed porch, single storey side extension for garage, single storey rear extension, conversion of garage to Elderly persons living accommodation with DA Capability and alterations to materials at 4 EASTGLADE, NORTHWOOD, HA6 3LD for Mrs D Prebble (DCES)**

Parish: Batchworth Community Council  
Expiry of Statutory Period: 11 June 2018

Ward: Moor Park and Eastbury  
Case Officer: Claire Wilson

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: This application has been called in for consideration by Batchworth Community Council.

**1 Relevant Planning History**

1.1 No recent planning history.

**2 Description of Application Site**

2.1 The application site consists of a two storey detached dwelling on the northern side of Eastglade. The dwellings within the immediate vicinity are of a similar architectural design, however, the dwellings located at the far end of Eastglade are of a different appearance, as are the dwellings immediately to the west located within Holbein Gate. To the front of the application dwelling is a single storey flat roofed projection serving a double garage, with the flat roof utilised as a balcony at first floor level. There is a paved carriage driveway to the frontage with provision for three off street car parking spaces.

2.2 The building line in this location is stepped with no.8 Holbein Gate to the west of the application site, being set significantly back relative to the front elevation of the application dwelling. The dwellings within Holbein Gate are also set at a lower land level. A public footpath is located between the application dwelling and the neighbouring dwelling to the east, no.5 Eastglade.

2.3 The rear elevation of the dwelling has an L-shaped footprint with a two storey gabled projection sited adjacent to the boundary with the adjacent footpath. Beyond the rear elevation of the dwelling is a paved patio which is set at a higher level to the remaining garden area which is laid to lawn.

**3 Description of Proposed Development**

3.1 The applicant is seeking full planning permission for a proposed porch, single storey side extension for garage, single storey rear extension, conversion of garage to elderly person's living accommodation and alterations to materials.

3.2 The proposed porch would have a depth of 1.1m and would be constructed in line with the front wall of the existing garage projection. The proposed roof form would be mono pitched with a height of 3.8m which would be extended across the width of the existing flat roofed garage. This would be converted to habitable accommodation which would involve the provision a new window. The converted garage would be used as a ground floor bedroom and bathroom by the elderly mother of the applicant. This ancillary accommodation would be accessed internally with no external door proposed.

3.3 A single storey side extension is also proposed which would accommodate a new garage. This would have a width of 2.8m and a depth of 6.8m. It would have a pitched roof form with a maximum height of 4.8 and a height to the eaves of 2.7m. The flank wall of the garage would be set in from the boundary by 1m.

3.4 To the rear, a single storey extension is proposed which would infill the rear building line of the dwelling which is currently L-shaped in footprint. The extension would have a depth of 4.8m and a width of 4.7m. A crown roof form is proposed with a height of 3.5m.

3.5 The applicant is also proposing alterations to the existing materials. To the front elevation, the existing tile hanging at first floor level would be removed and the first floor would be rendered to match the part rendered section at ground floor level.

## **4 Consultation**

### **4.1 Statutory Consultation**

#### **4.1.1 Batchwoth Community Council: [Objection]**

In respect of the following application, the Three Rivers District Council be ask to call in this application to ensure this applications receive proper scrutiny from the Planning Committee rather than delegated approval.

4.1.2 Herts Footpaths: No comments received. Any comments will be verbally reported.

4.1.3 National Grid: No comments received. Any comments will be verbally reported.

### **4.2 Public/Neighbour Consultation**

4.2.1 Number consulted: 5                      No of responses received: None

4.2.2 Site Notice: Expiry: 14 May 2018

4.2.3 Press notice: Expiry 18 May 2018

4.2.4 Summary of Responses: None received

## **5 Reason for Delay**

5.1 Committee cycle.

## **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.

### 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 Character and Streetscene

- 7.1.1 Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that 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. Policy DM1 of the Development Management Policies LDD (adopted July 2013) advises that development should not appear excessively prominent.
- 7.1.2 The dwellings within the immediate vicinity of the application site are of fairly similar appearance, as such, the proposed extensions and alterations would alter the appearance of the dwelling. However, it is not considered that any harm would occur for the following reasons. The proposed front porch would project no further forward than the existing garage and therefore the prominence of the extension would be reduced. A mono pitched roof form would be introduced over the porch and converted garage. Whilst this would be different to other dwellings within Eastglade, the application dwelling is located adjacent to Holbein Gate where mono pitched roof forms are visible. Therefore this minimises any harm. With regard to the converted garage, a window would replace the existing garage doors and would be flush with the front wall. It would be a similar style to the existing fenestration and therefore no objection is raised.
- 7.1.3 With regard to the use of the converted garage, the alterations would provide ground floor accessible living accommodation for a family member. There would be no separate external access and a separate residential unit would not be created.
- 7.1.4 Appendix 2 of the Development Management Policies LDD provides advice in respect of single storey side extensions and states that the proximity to the boundary will be assessed on a case by case basis. In this instance, a distance of 1m would be retained which therefore maintains a sense of openness at the end of Eastglade. It is acknowledged that the roof form would be high, however, it would be hipped away from the boundary with a height to the eaves of 2.7m. As such, it is not considered that this would result in any adverse harm.

- 7.1.5 It is also noted that the alterations to the front elevation include the removal of the existing tile hanging and the introduction of render at first floor level. Again, this would be different to other dwellings within Eastglade, the existing dwelling already has render at ground floor level. Furthermore, no.4 is located adjacent to Holbein Gate where dwellings are also rendered at first floor level. Therefore, given the site circumstances it is not considered that harm would occur to the character and appearance of the streetscene.
- 7.1.6 Due to the relationship with no.8 Holbein Gate, the proposed single storey rear extension would be visible from the street. However, the extension would project no further than the existing two storey gabled projection and when viewed in this context would not appear excessively prominent.
- 7.1.7 In summary, subject to a condition to state that the materials will be as stated on the plans, it is considered that the development would not result in harm to the visual amenities of Eastglade or Hobein Gate. The development is considered acceptable and in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

## 7.2 Impact to Neighbours

- 7.2.1 Policy CP12 of the Core Strategy states that the 'Council will expect all development proposals to protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Appendix 2 of the Development Management Policies LDD states that 'oversized, unattractive and poorly sited development can result in loss of light and outlook for neighbours and detract from the character and appearance of the streetscene'.
- 7.2.2 A public footpath is located between no.4 and no.5 Holbein Gate and this separation distance means that there would be no significant impact as a result of the proposed extensions to no.5. In addition, the proposed rear extension would be screened from this neighbour by the existing two storey gabled projection.
- 7.2.3 No.8 Holbein Gate is set significantly back from the application dwelling and as a result the side elevation would be visible from the front elevation of this dwelling. Whilst the extension would be high, the roof form would be hipped away from the boundary reducing any significant impact. In addition, the extension would be set in from the boundary by 1m and would viewed against the backdrop of the existing dwelling.
- 7.2.4 Appendix 2 of the Development Management Policies LDD advises that for single storey rear extensions to detached dwellings, a maximum depth of 4m may be acceptable. In this instance, the single storey rear extension would have a depth of 4.7m, therefore in excess of the measurement suggested by Appendix 2. However, as already noted there would be no harm to no.5 as the extension would be screened by the existing two storey projection. The extension would be visible from no.8 Holbein Gate, however, it would be no deeper than the existing rear projection. Whilst it is acknowledged that there would be additional glazing at ground floor level, due to the sting, with no.8 set significantly back and the extension set in from the boundary, it is not considered that any harm would occur. There would be no impact to the neighbours to the rear of the site due to single storey nature of the extension and the back to back distance exceeding 28m.
- 7.2.5 The alterations to external materials would not affect the residential amenity of neighbouring dwellings.
- 7.2.6 In summary, for the reasons outlined above, the development would be acceptable and in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

## 7.3 Trees and Landscaping

7.3.1 The development would not result in any adverse harm to any protected trees or significant areas of landscaping.

#### 7.4 Car Parking

7.4.1 Policy CP10 of the Core Strategy requires development to demonstrate that it will provide a safe and adequate means of access. Policy DM13 and Appendix 5 of the Development Management Policies LDD advises on off street car parking requirements.

7.4.2 Whilst the existing garage would be converted to habitable accommodation, there would still be provision on the carriage driveway for three car parking spaces which is in accordance with the requirements of Appendix 5 of the Development Management Policies LDD.

#### 7.5 Wildlife and Biodiversity

7.5.1 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.

7.5.2 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.

7.5.3 The application has been submitted with a Biodiversity Checklist and states that a Biodiversity Survey and Assessment is not required.

### **8 Recommendation**

8.1 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: 113/01/01, 113/01/02.

Reason: For the avoidance of doubt, in the proper interests of planning and residential amenity 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 Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

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 The converted garage hereby permitted shall not be occupied or used at any time other than incidental to the enjoyment of, and ancillary to, the residential dwelling located on the site and it shall not be used as an independent dwelling at any time.

Reason: The creation and use of a separate and independent unit would not comply 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:

- I1 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](mailto: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](http://www.hertfordshirebc.co.uk).

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) for self-build housing) 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.

- I2 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 development maintains/improves the economic, social and environmental conditions of the District.
- I3 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.
- I4 The applicant is advised that a Public Right of Way runs adjacent to the application site. This Right of Way must be protected to a minimum width of 2m and its current

surface condition maintained. The Right of Way must remain unobstructed by vehicles, machinery, materials, tools and any other aspects of construction during works. The safety of the public using the route should be paramount. The condition of the route must not deteriorate as a result of the works. All materials are to be removed at the end of construction.

If these standards cannot be reasonably be achieved then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order.