

7. 18/1193/FUL - Single storey and two storey rear extension and alterations to front entrance porch at THE WHITE HOUSE, 16 LANCING WAY, CROXLEY GREEN, WD3 3LN for Mr & Mrs Chohan

Parish: Croxley Green

Ward: Durrants

Expiry of Statutory Period: 02/08/2018

Case Officer: Tom Norris

Recommendation: That Planning Permission be Granted

Reason for consideration by the Committee: Called in by Councillors.

1 Relevant Planning History

1.1 18/0410/PREAPP – Pre-Application Advice: Part single storey, part two storey rear extension and demolition of existing outbuilding and construction of replacement outbuilding to provide annexe accommodation. – 27.03.2018

1.2 14/1736/FUL – Erection of two storey 3-bedroom detached dwelling – 01.12.2014 – Refused, for the following reasons:

R1 The proposed development by reason of the siting, design, frontage amenity space provision and boundary treatment to the proposed dwelling and the plot size and depth to serve the proposed dwelling and the impact on the plot size and depth of the existing dwelling would result in a cramped and contrived unsympathetic form of overdevelopment which would be significantly out of character with the surrounding area. It would therefore be detrimental to the visual amenities and character and appearance of the proposed dwelling, street scene and wider area and would be contrary to Policies CP1, CP3 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

R2 The proposed dwelling, by reason of its siting, scale and design would be an overbearing, overdominant and unneighbourly form of development that would also result in overlooking and loss of privacy to neighbouring properties to the detriment of the residential amenities of their occupiers. The residential amenity of future occupiers of the proposed dwelling would also be unacceptable by reason of the scale and disposition of amenity space provision, the outlook from fenestration and overlooking from existing residential neighbours. The development would therefore be contrary to 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).

R3 The proposed development would provide insufficient amenity space and parking provision and has not demonstrated that there would be a safe and adequate means of access to serve the dwelling. This would emphasise the cramped nature of the development and would compromise the safe movement and free flow of other highway users. The proposal would therefore be contrary to Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

R4 The proposed development would result in a significant increase in demand for education, libraries, childcare facilities, youth facilities, open space/children's play space and sustainable transport provision in the area. There is currently a shortage of these facilities in the area. The proposed development would exacerbate this situation and in the absence of an agreement under the provisions of Section 106 of Town and Country Planning Act 1990 fails to recognise the impact of the development upon these services. The proposal would also attract a requirement for

fire hydrant provision. The application therefore fails to meet the requirements of Policies CP1, CP8 and CP10 of the Core Strategy (adopted October 2011), Policy DM11 of the Development Management Policies LDD (adopted July 2013) and the Open Space, Amenity and Children's Playspace Supplementary Planning Document (adopted December 2007).

R5 The scheme is for a market dwelling and in the absence of an agreement under the provisions of Section 106 of Town and Country Planning Act 1990 would fail to contribute to the provision of affordable housing. The proposed development therefore fails to meet the requirements of Policy CP4 of the Core Strategy (adopted October 2011) and the Affordable Housing Supplementary Planning Document (approved June 2011).

- 1.3 8/156/90 – Single and double storey side extension – Permitted and implemented – 08.06.1990
- 1.4 18/1195/FUL - Demolition of existing outbuilding and construction of single storey detached annexe ancillary to the use of the existing house – Pending consideration.

2 Description of Application Site

- 2.1 The application site consists of a semi-detached four bedroom dwelling with rear garden positioned on a corner plot at the junction of Lancing Way and Winchester Way, Croxley Green. The application dwelling is on the west side of Lancing Way which is a residential street of semi-detached dwellings of similar styles. Winchester Way is also a residential street of semi-detached dwellings but there is more diversity of design of the properties.
- 2.2 The existing dwelling on the site is finished in white render and has been previously extended through a single and two storey extension to the side and a conservatory across part of the rear elevation of the dwelling. There is hardstanding to the front of the dwelling with space to park two vehicles.
- 2.3 To the rear of the dwelling is a garden of approximately 175sqm. There is a patio area close to the dwelling with a step up to an area laid to lawn. The garden is enclosed by 1.8m high close boarded fencing.
- 2.4 At the rear of the garden is a detached garage/storage outbuilding which is 7.0m wide and 5.4m deep. The building is single storey and has a flat roof but there is a high flank parapet wall facing the application dwelling. There is a gate providing access to the building from Winchester Way but there is no dropped kerb to provide vehicular access.
- 2.5 The adjoining neighbour of no.18 Lancing Way to the south of the application site is on the same building line as the application dwelling but has a single storey rear extension. This neighbour has a small wooden outbuilding within the rear garden, adjacent to the outbuilding on the application site.

3 Description of Proposed Development

- 3.1 Full planning permission is sought for a part single-storey, part two-storey rear extension.
- 3.2 The proposed single storey rear extension would project 3.6m in depth from the rear elevation of the dwelling and have a width of 9.1m across the entire rear elevation of the dwelling. The extension would have a mono-pitched roof with an eaves height of 2.2m and an overall height of 3.4m. The extension would have two sets of bi-fold doors inserted in the rear elevation whilst no flank windows are proposed.
- 3.3 The proposed two-storey rear extension would have a width of 5.3m and be set in 3m from the shared boundary with the adjoining neighbour at no.18 and set in 0.8m from the boundary where the site adjoins Winchester Way. The two-storey extension would have a

depth of 3.6m, matching that of the proposed ground floor rear extension. The two-storey extension would have an eaves height of 4.8m, matching that of the application dwelling, and an overall height of 6.9m, set down from the main ridge of the dwelling. The two-storey extension would incorporate hipped roof forms, matching the angle and profile of the existing dwelling. A window would be inserted in the rear elevation of the two-storey extension at first floor level.

- 3.4 It is proposed that the existing front door is replaced with a full height glazed front door with full height glazed side panels. It is proposed that the inset tiled mono-pitched roof is replaced by a glazed roof.
- 3.5 An obscurely glazed window would be inserted on the unattached flank of the existing dwelling at first floor level.
- 3.6 The existing chimney stack to the unattached flank of the dwelling would be removed.
- 3.7 The proposals would be finished in materials to match the existing dwelling.

4 Consultation

4.1 Statutory Consultation

4.1.1 Croxley Green Parish Council: [Objection]

“Croxley Green Parish Council asks that this application is considered in tandem with application number 18/1195/FUL. As they relate to the same property we feel that the combination of these applications results in the over-development of the property.”

4.1.2 National Grid:

No response received.

4.2 Public/Neighbour Consultation

- 4.2.1 Number consulted: 9 No of responses received: 0
- 4.2.2 Site Notice: not required Press notice: not required
- 4.2.3 Responses:

It is noted that the comments made on this application object to the outbuilding proposed under 18/1195/FUL. These comments are including within the relevant section of the report for the application under which it is proposed under reference 18/1195/FUL.

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 Relevant policies include DM1, DM6, DM8, 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 Impact on Character and Street Scene

7.1.1 Policy CP1 of the Core Strategy seeks to support buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy 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'.

7.1.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not have a significant impact on the visual amenities of an area and that extensions should not be excessively prominent in relation to the general street scene and respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials.

7.1.3 The proposed single storey rear extension would project 3.6m in depth from the rear elevation of the dwelling and have a width of 9.1m across the entire rear elevation of the dwelling. The extension would have a mono-pitched roof with an eaves height of 2.2m and an overall height of 3.4m. The majority of the dwellings on this part of Lancing Way have implemented extensions of a similar depth such that it would not appear out of character

with the area. The application dwelling occupies a corner plot such that it is in a visually prominent location. Views of the single storey element of the proposed rear extension would be limited from the streetscene. It is however considered that the proposed single-storey element of the rear extension is of a scale in keeping with the host dwelling and would therefore not cause harm to the streetscene. The proposed two-storey element of the extension would be highly visible from the streetscene given the prominent location of the application dwelling. It is however considered that the proposed two-storey extension is also of a subordinate scale to the host dwelling such that, although it would be visible from public vantage points, it would not be unduly prominent.

- 7.1.4 Although the two-storey element of the proposal would maintain a distance to the site boundary of less than 1.2m, given that the dwelling occupies a corner plot with no adjoining neighbour and the extension would constitute a continuation of the existing two-storey flank elevation, it is considered that a terracing effect would not occur. It is also noted that the dwelling on the adjacent corner at the junction between Lancing Way and Winchester Way has implemented a two-storey rear extension of similar scale such that the application proposal would not appear out of character with the streetscene.
- 7.1.5 It is proposed that the existing front door is replaced with a full height glazed front door with full height glazed side panels. It is proposed that the inset tiled mono-pitched roof is replaced by a glazed roof. The local streetscene consists of a variation of frontages including glazed front doors and porches. The proposal would also not add additional bulk to the frontage of the dwelling such that it is considered that it would not appear unduly prominent or out of character within the streetscene.
- 7.1.6 Although it would be in a visually prominent location, it is not considered that the obscurely glazed window proposed to be inserted on the unattached flank of the existing dwelling at first floor level would lead to unacceptable harm to the character and appearance of the streetscene or the host dwelling.
- 7.1.7 It is not considered that the removal of the existing chimney stack would lead to unacceptable harm to the character and appearance of the streetscene or the host dwelling.
- 7.1.8 In summary, whilst the proposed development would increase the scale of the host dwelling, it is not considered that the proposal would appear excessively prominent within the streetscene, or disproportionate in relation to the application dwelling or to other dwellings within the vicinity so as to result in unacceptable harm justifying the refusal of planning permission. The proposed development would therefore accord with Policy DM1 and Appendix 2 of the Development Management Policies document (adopted July 2013) in this regard.

7.2 Impact on amenity of neighbours

- 7.2.1 Policy CP12 of the Core Strategy states that Three Rivers District Council will seek a high standard of design. Appendix 2 of the Development Management Policies LDD states that extensions must not be excessively prominent in relation to adjacent properties and not result in loss of light to the windows of neighbouring properties nor allow overlooking.
- 7.2.2 The proposed single storey rear extension would be built in line with the existing single-storey extension with the attached neighbour. It is considered therefore that the proposal would not lead to a loss of light towards or having an overbearing impact upon this neighbour. Glazing is proposed in the rear elevation of the extension however, given that this would be at ground floor level; it is not considered that overlooking would occur.
- 7.2.3 The proposed two-storey rear extension would be set in 3.0m from the shared boundary with the adjoining neighbour at no.18 and would have a depth of 3.6m. The proposal would slightly intrude the 45 degree splay line if taken from the shared boundary with

no.18 at two-storey level. It is noted however that no.18 has extended at ground floor level such that it is considered that the proposed two-storey extension would not cause a loss of light to the ground floor windows of this neighbour. Also, given that the proposed two-storey rear extension would be set some 3m away from the shared boundary, it is not considered that it would be overbearing to no.18 or result in a loss of light to the first floor windows in the rear elevation of this neighbour. The window proposed to be inserted in the rear elevation of the two-storey extension would provide views towards the rear garden of no.18. However, these would not be materially different to those which exist currently and therefore would not cause an unacceptable level of overlooking over and above the existing situation.

7.2.4 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 Amenity Space Provision for future occupants

7.3.1 Policy CP12 of the Core Strategy states that development should take 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 'amenity space must be provided within the curtilage of all residential development. As a result of the proposal the application dwelling would retain a rear garden of 157sqm which is considered sufficient to serve the dwelling and exceeds the indicative levels within Appendix 2.

7.4 Wildlife and Biodiversity

7.4.1 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.

7.4.2 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.

7.4.3 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.

7.5 Trees and Landscaping

7.5.1 No protected trees or landscaping would be removed or harmed as part of the proposal.

7.6 Highways, Access and Parking

7.6.1 Core Strategy Policy CP10 sets out that development should make sufficient provision for car and other vehicle parking. Policy DM13 of the Local Development Management Document states development should make provision for parking in accordance with the parking standards set out in Appendix 5. Proposed floor plans have been provided which indicate that there would be an increase in two bedrooms as part of the proposals increasing the total number of bedrooms that the dwelling would provide to five. The Council's adopted parking standards state that for a four or more bedroom dwelling the parking standard is 3 spaces.

- 7.6.2 There are currently parking provisions for 2 vehicles in the form of two spaces on the area of hardstanding to the front of the dwelling. Although three cars were parked on the driveway at the time of visiting the site, it is noted that one parked car noticeably encroached upon the pavement and as such cannot be considered a formal parking space completely within the residential curtilage. It is also noted that there are no parking restrictions on Lancing Way or Winchester Way therefore a degree of on-street parking does exist. Whilst a shortfall of one space would exist, it is not considered that this would justify the refusal of planning permission.

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: 3252 EX1, 3252 EXT1, 3252 SPEX

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, DM8, 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 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).

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 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.