

8. 18/1036/FUL - Part single storey and part 2 storey rear extension and internal refurbishment and re-configuration. Roof-lights to front roof slope. New windows to side elevation at 3 EASTGLADE, NORTHWOOD, HA6 3LD (DCES)

Parish: Batchworth Community Council
Expiry of Statutory Period: 20 July 2018

Ward: Moor Park and Eastbury
Case Officer: Lauren Edwards

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: Called in by Batchworth Community Council

1 Relevant Planning History

- 1.1 97/0834 - Certification of Lawfulness - (Proposed) Single storey rear extension – Permitted and implemented.

2 Description of Application Site

- 2.1 The application site is roughly rectangular in shape and located on the southern side of Eastglade adjacent to the entrance to Holbein Gate.
- 2.2 The application site comprises a two storey detached dwelling built of a brown brick with tile hanging to part of the front elevation at first floor level.
- 2.3 The application dwelling has two storey front and rear gable features and an existing single storey rear infill extension.
- 2.4 To the front of the application site is a modest frontage with parking for at least 3 cars and an area laid as lawn. To the rear is a garden with paving abutting the rear elevation with the remainder laid as lawn.
- 2.5 The neighbour at No.2 to the north east is a two storey detached dwelling built of a brown brick with tile hanging to the front elevation at first floor level. This neighbour is set forward of the application dwelling and has an existing two storey gable feature to the rear.
- 2.6 To the west of the application site are garages serving The Limes which front on to Eastbury Avenue. This site is the subject of planning permission 17/0047/FUL which has been approved but not yet commenced.

3 Description of Proposed Development

- 3.1 This application seeks full planning permission for a part single storey and part two storey rear extension and internal refurbishment and re-configuration. Roof-lights to front and rear roof slope. New windows to side elevation.
- 3.2 The proposed two storey rear extension would project 2.9m beyond the existing two storey rear elevation, set in from the flank by 1.3m and set back 0.8m from the existing two storey rear gable. It would be set down 0.2m from the existing gable, 0.9m from the main ridge. The proposed single storey element would have a depth of 3.8m to the eastern flank in line with that existing and would have a flat roof with a height of 3m.
- 3.3 The proposed single storey rear extension would have a depth of 2.2m beyond the existing rear elevation and would have a width of 5.8m in line with the western flank. It would have a flat roof with a height of 2.7 and a roof light projecting 0.2m above the main flat roof.
- 3.4 The proposal also includes an additional first floor flank window within the eastern elevation.

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 Impact on Character and Street Scene

- 7.1.1 Policy CP1 of the Core Strategy seeks to promote 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 the area. Extensions should not be excessively prominent and should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials. The proximity of single storey side extensions to flank boundaries will be individually assessed but to avoid a terracing effect and maintain spacing in character with the area, the first floor of two storey side extensions should be set in at least 1.2m from flank boundaries.
- 7.1.3 Appendix 2 of the DMP LDD in respect of single storey rear extension to detached dwellings outlines that they should not generally exceed a depth of 4m.
- 7.1.4 Given its siting to the rear, the single storey rear projections would not be readily visible from the street scene of Eastglade. Whilst some views may be had of the single storey rear extension from the adjacent garages, given that it would have a depth of 2.2m and would therefore be within the guidelines of Appendix 2 of the DMP LDD in addition to its flat roofed single storey nature it is not considered that it would result in harm to the character of the street scene.
- 7.1.5 The proposed first floor rear extension would be set in 2.6m from the flank boundary and 1.3m from the main side elevation. As such this element would not be readily visible from the street scene of Eastglade. Given this and that it would not project beyond the existing rear gable and would be set down from this element and the main ridge it is not considered that it would result in detrimental harm to the character of the street scene.
- 7.1.6 The proposed front rooflights would be readily visible from the street scene of Eastglade. However given that they would be subordinate in scale and number to the host roof, would be set within the plane of the roof and that there are other front rooflights evident within the wider street scene it is not considered that they would appear incongruous or unduly prominent so as to result in detrimental harm to the character of Eastglade.

7.1.7 In summary the scale and massing of the proposed extensions are considered appropriate and the development would respect the character and appearance of the host dwelling and street scene and would accord with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) in this regard.

7.2 Impact on amenity of neighbours

7.2.1 Policy CP12 of the Core Strategy advises that development will be expected to protect residential amenity. Appendix 2 of the Development Management Policies LDD comments that all developments are expected to maintain acceptable standards of privacy for both new and existing residential buildings and extensions should not result in loss of light to the windows of neighbouring properties nor allow overlooking.

7.2.2 Appendix 2 of the DMP LDD outlines that two storey rear and side extensions should not generally intrude a 45 degree splay line drawn across the rear from the point on the boundary level with the rear wall of the adjacent property. This principle is dependent on the spacing and relative positions of properties and consideration will be given to the juxtaposition of properties, land levels and positions of windows and development on neighbouring properties.

7.2.3 Appendix 2 of the DMP LDD also sets out that single storey rear extensions to detached dwellings should not generally exceed 4m in depth.

7.2.4 The proposed single storey rear extension would have a depth of 2.2m beyond the existing rear elevation and would be set off the boundary with the neighbour at No.2 by 6m. Given this in addition to its single storey nature and that it would comply with the guidelines of Appendix 2 in relation to its depth it is not considered that this element of the proposed development would result in unacceptable harm to this neighbour.

7.2.5 The application dwelling is set back from the neighbour at No.2 and as such the existing dwelling intrudes a 45 degree splay line when taken from the point on the boundary level with the rear elevation of this neighbour. It is acknowledged that the proposed first floor rear extension would have a depth of 3m beyond the existing set back two storey rear elevation and as such would result in a further intrusion of the 45 degree splay line. However it would be set 1.3m in from the existing flank, 2.3m from the boundary, would be set down from the existing gable and main ridge and would have a roof form pitched away from the boundary. As such it is not considered that the proposed first floor rear extension would result in such an overbearing impact or loss of light to No.2 when compared with the existing relationship.

7.2.6 An additional flank window is proposed at first floor facing No.2. This window would be conditioned to be obscure glazed and top level opening only to prevent unacceptable overlooking to this neighbour.

7.2.7 To the west of the application site are garage and as such the proposed development would not result in an unacceptable to neighbouring amenity to this side of the site.

7.2.8 The proposed rooflights given their siting within the front roofslope are not considered to result in unacceptable overlooking to neighbours.

7.2.9 In summary, it is not considered that proposed development would result in any significant adverse impact on any neighbouring dwelling and the development would be acceptable in accordance with Policy CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

7.3 Amenity Space

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. Specific standards for amenity space are set out in Appendix 2 of the Development Management Policies LDD.

7.3.2 The proposed development would not result in any additional and the application site would retain approximately 180sqm of amenity space which would be sufficient to serve current and future occupiers.

7.4 Highways, Access and Parking

7.4.1 Policy DM13 of the Development Management Policies LDD requires developments to ensure that sufficient parking is provided in accordance with the parking standards set out at Appendix 5 of the Development Management Policies LDD.

7.4.2 Appendix 5 of the DMP LDD outlines that a dwelling with 4 or more bedrooms should provide 3 onsite parking spaces. The proposed development would not result in the creation of any additional bedrooms with the hardstanding retained to the front of the site which could accommodate at least 3 cars. As such it is considered that the proposal would be acceptable in this respect.

7.5 Trees and Landscaping

7.5.1 Policy DM6 of the Development Management Policies LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.

7.5.2 The site is not located within a Conservation Area nor are there any protected trees on or near the site. As such it is not considered that the proposed development would result in any harm in this respect.

7.6 Wildlife and Biodiversity

7.6.1 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.

7.6.2 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.

7.6.3 A biodiversity checklist was submitted with the application this stated that no protected species or biodiversity factors will be affected as a result of the application. The Local planning authority is not aware of any protected species within the immediate area that would require further assessment, however, an informative is suggested as works to the roof are proposed.

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: 215- 2PM- XX- XX- DR- A- 00101, 215- 2PM- XX- XX- DR- A- 00102, 215- 2PM- XX- GF- DR- A- 00201, 215- 2PM- XX- 01- DR- A- 00201, 215- 2PM- XX- RF- DR- A- 00201, 215- 2PM- XX- GF- DR- A- 10201 Rev 01, 215- 2PM- XX- 01- DR- A- 10201 Rev 01, 215- 2PM- XX- RF- DR- A- 10201 Rev 01, 215- 2PM- XX- XX- DR- A- 00401, 215- 2PM- XX- XX- DR- A- 00402, 215- 2PM- XX- XX- DR- A- 10401 Rev 01, 215- 2PM- XX- XX- DR- A- 10402 Rev 01.

Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM6 and 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 Before the first occupation of the building/extension hereby permitted the first floor window in the eastern side elevation shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window 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:**

- 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) - 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.

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.
- 14 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).