

12. 18/1758/RSP - Roof alterations including hip to gable roof extensions, provision of rear dormer window and front rooflights at 156 GREENFIELD AVENUE, CARPENDERS PARK, WD19 5DQ. (DCES)

Parish: Watford Rural

Ward: Carpenders Park

Expiry of Statutory Period: 30.10.18

Case Officer: Aaron Roberts

Recommendation: That Retrospective Planning Permission be Refused.

Reason for consideration by the Committee: This application is brought before the Committee as it has been called in by Watford Rural Parish Council.

1 Relevant Planning History at Application Site

- 1.1 18/1481/PDE- Prior Approval: Single storey rear extension (depth 8 metres, maximum height 4 metres, maximum eaves height 3 metres) – Permitted and implemented (not in accordance with approved plans - there is currently an enforcement case pending under reference 18/0159/COMP which is investigating the works undertaken).
- 1.2 18/1765/FUL- Single storey front extension and alterations to fenestration detail – Permitted.
- 1.3 18/0159/COMP- Enforcement enquiry regarding loft conversion and single storey rear extension – Pending Consideration.

Relevant Planning History at No 158 Greenfield Avenue

- 1.4 17/1578/CLED - Certificate of Lawfulness Existing Development: Loft conversion including extension to roof and insertion of rear dormer and front rooflights. Refused, included the substantial removal of the original roof.
- 1.5 17/2157/RSP - Part Retrospective: Hip to gable extension and insertion of rear dormer and front rooflights. Permitted and implemented.

2 Description of Application Site

- 2.1 The application site is located on the western side of Greenfield Avenue, a residential street characterised predominantly by detached bungalows. Land levels along Greenfield Avenue generally rise upwards from north to south.
- 2.2 The application dwelling was, in its original form, a detached bungalow with a front pitched roof projection and a white and dark red painted exterior. The host bungalow has recently undergone significant roof extensions to add loft accommodation involving hip to gables, front rooflights and a rear dormer, subject to this application. A single storey rear extension with a depth of approximately 8m has also been constructed.
- 2.3 The neighbouring property to the south, No.154 Greenfield Avenue sits at a slightly higher land level than the application site and has a similar building line to the application site. This property has been extended to the rear with a single storey extension.
- 2.4 The other neighbour, No.158 Greenfield Avenue sits at a slightly lower land level to the application site and is built along a similar building line. This property has been extended to the rear and also has roof accommodation in the form of a single hip-to-gable and rear dormer (works permitted under 17/2157/RSP).

3 Description of Proposed Development

- 3.1 This application seeks retrospective planning permission for roof alterations including hip to gable roof extensions, provision of a rear dormer window and front rooflights.
- 3.2 The original hipped roof has been entirely replaced with gable ends, extending from the flank walls up to the main ridge at both sides. Within the rear roofslope there is a flat-roofed dormer which is approximately 7.1m wide, 3.6m deep and 2.6m high. Within the rear of the dormer there are two windows. Four roof lights are also located within the front roofslope.
- 3.3 There are some discrepancies with the submitted plans, including plan 156GA_P01B (002). The plans do not show the dormer set back from the eaves of the roof. The plans also do not show the roof of the single story rear extension encroaching upon the roof of the original dwellinghouse. However, due to the retrospective nature of the application and that the application is being recommended for refusal, the discrepancies with the plans do not influence the overall recommendation for refusal.

4 Consultation

4.1 Statutory Consultation

4.1.1 Watford Rural Parish Council: [Objection]

"I write in connection with the above planning application. WRPC have examined the plans and local councillors know the site well. We wish to object strongly to the development of land at this location for the following reasons:

We believe that this proposed plan fails under policy "DM13 Parking" of the Local Plan, as it clearly states in Appendix 5 under C3 Residential that 4 bedroom properties must have three assigned spaces within the curtilage. Due to the severe parking issues currently experienced in the area Watford Rural Parish Council will contend that any development which takes away a garage site will slowly make the area deteriorate over time as more and more garages are converted, meaning more and more visitors and household members park in the road causing issues to pedestrian and motorists alike which then causes failures under CP10 (I) of the TRDC's Local Development Framework - Core Strategy Document where it states that a development must make "adequate provision for all users, including car and other vehicle parking, giving priority to people with mobility difficulties, pedestrians, cyclists and equestrians"

We also would like to echo the concerns of the resident of 43 Alva Way regarding their concerns about their privacy. We ask that officers ensure that this development abides by policy DM1 b) 5) relating to privacy. We cannot find the policy relating to roof space but respectfully ask that you look into this aspect as they believe there is an issue.

We also echo their concerns regarding the proliferation of retrospective planning applications by developers who are continuing to tart developments hoping that TRDC will allow them to pass after the fact. We would like TRDC to make a stand on this please to prevent this happening so frequently.

We respectfully ask this to be pulled into to planning committee and ask TRDC councillors to finally put a stop to these types of conversion ongoing.

Finally, please note that our submission is in respect of the proposed development. While we have taken every effort to present accurate information for your consideration, as we are not a decision maker or statutory consultee, we cannot accept any responsibility for unintentional errors or omissions and you should satisfy yourselves on any facts before reaching your decision."

4.1.2 National Grid: No response received.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 7 No of responses received: 1

4.2.2 Site Notice: N/A Press notice: N/A

4.2.3 Summary of Responses:

- Impact upon privacy
- Excessive expansion of roof space
- Abuse of the planning process

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 24 July 2018 the new National Planning Policy Framework was published. This is read alongside 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 2018 NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

The NPPF states that ‘good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’. 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 Overview

7.1.1 On 9 August 2018, an enforcement enquiry was received in regards to the removal of the entire roof at No.156 Greenfield Avenue.

7.1.2 A site inspection was conducted on 13 August 2018, where it was ascertained that the development required planning permission as it did not meet the requirement of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) by reason that the original roof of the house had been completely removed and replaced with a new roof of different form. This action goes beyond the limitations of what is permitted under Class B of the aforementioned Order which only allows an enlargement and/or alteration to the roof.

7.1.3 In an enforcement letter dated 13 August 2018, the owner of 156 Greenfield Avenue was informed that as the development was not considered 'permitted development', a retrospective planning application would be required to formalise the works or that the roof be returned back to its prior condition. This planning application has therefore been submitted in response to the enforcement investigation to date but its submission is not conclusive as to its acceptability which will be discussed within the following analysis sections.

7.2 Impact on Character and Street Scene

7.2.1 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'.

7.2.2 The streetscene of Greenfield Avenue is strongly characterised by modest bungalows with hipped roofs. A number of properties have extended in some form however the original character and appearance of the street has been relatively well maintained. There are notable examples of hip to gable roof alterations within the vicinity including at neighbouring property No.158 Greenfield Avenue to the north and immediately opposite at No.135. Nevertheless, it is important to note that the neighbouring property underwent extensive discussions with Officers under planning application 17/2157/RSP which resulted in alterations to the roof to ensure that only one hip to gable was introduced to avoid the elevated bulk adversely affecting the streetscene character. This particular property was, like the host dwelling, previously a detached dwelling and thus the introduction of gable roofs either side was considered unacceptable. In relation to No.135, a semi-detached dwelling, the hip to gable was erected under permitted development.

- 7.2.3 Unlike the neighbouring roof extensions at No.158 the development proposal seeks permission to retain the gabled elevations to both flanks and a flat roof rear dormer window.
- 7.2.4 The Design Criteria at Appendix 2 states that in some cases, roof forms may be uniform and therefore hip to gable roofs may erode the group value of the street and will not be supported by the Council. When viewed in the context of the streetscene the erection of two gabled elevations has significantly increased the elevated bulk of the dwelling, such that it appears unduly prominent and incongruous within its setting and adversely affects the visual amenity of the street. Whilst hip to gable roof extensions exist within the vicinity as highlighted above, the introduction of gabled elevations to both flank elevations has significantly altered the property, such that its roof massing and bulk appears out of character to the detrimental to the visual amenities of the area.
- 7.2.5 In respect of dormer windows, the Design Criteria state that they should always be subordinate to the main roof. They should be set down from the existing ridge level; set in from either end of the roof and set back from the plan of the front or rear wall. Finally the roof form should respect the character and appearance of the house if possible.
- 7.2.6 Whilst the dormer is set in from both ends of the extended roof, set down from the ridge and marginally set back from the eaves of the roof, the dormer rests on the single story rear extension. The overall width, height and depth of the proposed dormer results in a significant addition in terms of bulk and massing which can be viewed from public vantage points from within Greenfield Avenue. The flat roof design, height and depth of the dormer dominates the roof, further exacerbating the bulk to an unacceptable degree. Therefore the rear dormer is a disproportionate rather than subordinate addition to the roofslope and results in demonstrable harm to the character and appearance of the host dwelling.
- 7.2.7 Application 17/2157/RSP at No.158 Greenfield Avenue also sought amendments to reduce the width of the rear dormer. The dormer at No. 156 Greenfield Avenue is significantly larger than the amended scheme approved at No.158 Greenfield Avenue.
- 7.2.8 The front rooflights are not considered to have a detrimental impact on the character or appearance of the varied street scene; however the added roof bulk is considered unacceptable.
- 7.2.9 In summary the development viewed as a whole (hip to gables and rear dormer) significantly increases the bulk and mass of the dwelling resulting in an overly disproportionate form of development which causes demonstrable harm to the character and appearance of the host dwelling and the wider street scene. The development is therefore contrary to Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies document.

7.3 Impact on amenity of neighbours

- 7.3.1 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.
- 7.3.2 The hip to gable extensions has increased the bulk of the roof form and brought the built form closer to both No.154 and No.158 Greenfield Avenue. However, given the separation between the application site and both neighbouring dwellings, it is not considered that the formation of two gable ends has resulted in demonstrable harm to the residential amenity of either neighbour through either overshadowing or loss of light. No flank glazing has

been inserted or is proposed which avoids any overlooking towards neighbouring properties.

7.3.3 The rear dormer is set in minimally from either side of the roof and has a depth of approximately 3.6m. Given that the dormer is set approximately 0.5m in from the side flanks of both neighbours and set down from the ridge it is not considered that it would result in an unacceptable loss of light or overbearing impact to either neighbour.

7.3.4 In respect of overlooking from the rear dormer, the Design Criteria states that a distance of 28m should be achieved between buildings, particularly from upper floors. As the dormer does not project beyond the original rear elevation of the dwelling it is approximately 27m from the boundary with 43 Alva Way at the rear. Due to the separation distance and existing boundary treatment, most notably the approximately 4m high vegetation cover between the properties, it is not considered that the development results in demonstrable harm to the amenity of the occupiers of no. 43 Alva Way. Whilst it is recognized that the introduction of the dormer window has created a perception of overlooking as previously the property was a bungalow; however, given the significant distances between the host dwelling and those at the rear, there are no overlooking impacts.

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 with the application and states that no protected species or biodiversity interests will be affected as a result of the application. The site is not in or located adjacent to a designated wildlife site. The Local Planning Authority is not aware of any records of protected species within the immediate area that would necessitate further surveying work being undertaken.

7.5 Trees and Landscaping

7.5.1 Policy DM6 of the DMP 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 application site is not located within a Conservation Area and no trees on or adjacent to the site are protected by a Tree Preservation Order. No trees of public amenity value have been harmed or removed by virtue of the proposal and the development is considered acceptable in this regard

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 set out Parking Standards. The Parking Standards require 3 parking spaces for properties with 4 or more bedrooms such as the application dwelling.

7.6.2 The front drive along with the large shared drive adjacent to the southern elevation provides sufficient parking provision for three parking spaces. It is not considered that the development causes harm to highway safety.

8 Recommendation

8.1 That RETROSPECTIVE PLANNING PERMISSION BE REFUSED for the following reason:

R1 The hip to gable roof extensions and rear dormer window by virtue of their cumulative impact have significantly increased the bulk and mass of the dwelling resulting in a disproportionate form of development which adversely affects the character and appearance of the host dwelling and the wider street scene. The development is therefore contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM1 and Appendix 2 of the Development Management Policies document (adopted July 2013) and the NPPF (July 2018).

8.2 Informatives:

I1 The Local Planning Authority has been positive and proactive in considering 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. Whilst the applicant and the Local Planning Authority engaged in discussions during the course of the application, no amendments were submitted by the applicant. The proposed development fails to comply with the requirements of the Development Plan and does not maintain/improve the economic, social and environmental conditions of the District.