

**6. 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 Granted.

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

**Update:**

At the Planning Committee meeting on 15 November, the application was deferred by Members for Officers to provide clarification regarding permitted development allowances and to discuss with the applicants whether amendments can be made to the size of the dormer window. These matters are now addressed at paragraph 7.2.4 in the appraisal below.

Following November's Planning Committee, volume calculations were carried out for both the existing and proposed developments. With regards to the development currently in situ, the increase in cubic content of the roof space following the hip to gable alterations and construction of the rear dormer totals 51.3m<sup>3</sup>. This exceeds the allowed increase in cubic content under permitted development. In the case of a detached house, for the development to be considered 'permitted development', the increase in cubic content cannot exceed 50 cubic metres.

The total increase in cubic content of the roof space for the amended proposal totals 48.3m<sup>3</sup>. This figure falls within the remit of permitted development

As a result of the changes made to the scheme, the recommendation has now changed from refusal to approval.

**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 Amended plans (received 04 December 2018) illustrate that 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 5.7m wide, 3.4m deep and 2.2m high. Within the rear of the dormer there are two windows. Four roof lights are also located within the front roofslope.
- 3.3 The single storey rear extension does not form part of this application and will be subject to a future planning application following discussions with officers. The rear extension had previously successfully gone through the Prior Approval process (18/1481/PDE) but during the build it is evident that the works require planning permission as the eaves on the extension exceed the height of the existing eaves on the dwelling.

## **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"*



## 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. Hip to gable roof extensions exist within the vicinity and wider street scene as highlighted above. Although the introduction of gabled elevations to both flank elevations significantly alters the property, its roof massing and bulk does not appear out of character or detrimental to the visual amenities of the area. After further consideration since the previous Planning Committee it is considered that the introduction of the gabled roofs ensures that the dwelling appears symmetrical and therefore would be acceptable.
- 7.2.5 In respect of dormer windows, the Design Criteria states 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. The dormer would be glimpsed from the north-eastern side of Greenfield Avenue, however, following the submission of amended plans which reduced the width of the rear dormer from 6.5m to 5.7m, it is not considered that the dormer would be excessively prominent, given the existence of other rear dormers in the vicinity, for example at No.158. The dormer would increase the bulk of the dwelling but would remain subordinate in the context of the extended building.
- 7.2.6 The front rooflights are not considered to have a detrimental impact on the character or appearance of the varied street scene.
- 7.2.7 In summary, the proposed development would not result in any significant adverse impact on the character and appearance of the locality so as to justify refusal of the application and the development would therefore be acceptable 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 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 from either side of the roof and has a depth of approximately 3.4m. Given that the dormer is set approximately 1.0m 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 recognised 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:** That retrospective planning permission be GRANTED and has effect from the date on which the development was carried out and is subject to the following conditions:

8.1 Conditions:

C1 The roof alterations including hip to gable roof extensions, rear dormer window and front rooflights hereby permitted shall be completed in accordance with the following approved plans: 156 Greenfield Ave-156GA\_P01D (04 December 2018).

Reason: For the avoidance of doubt and in the proper interests of planning and 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).

C2 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).

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) - 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 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.
- 13 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.
- 14 The applicant is advised that this grant of planning permission relates only to the development set out in the description and does not relate to the single storey rear extension.