

**10. 19/0400/FUL - Single storey rear extension and construction of detached outbuilding at 299 NEW ROAD, CROXLEY GREEN, WD3 3HE.
(DCES)**

Parish: Croxley Green Parish Council
Expiry of Statutory Period: 30 April 2019

Ward: Dickinsons
Case Officer: Clara Loveland

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: This application is brought before the Committee as it has been called in by three Members of the Planning Committee.

1 Relevant Planning History

- 1.1 19/0408/CLPD – Loft conversion including rear dormer and front rooflights. Permitted 14.03.2019.
- 1.2 98/0184 – Part two storey side and rear and part single storey rear extension. Permitted with conditions 27.05.1998.
- 1.3 8/841/86 – Change of use from retail to residential. Permitted 18.12.1979.

2 Description of Application Site

- 2.1 The application site is located on the northern side of New Road. New Road is largely characterised by residential semi-detached and terrace dwellings of varying character and design.
- 2.2 The application dwelling comprises of a two storey semi-detached dwelling with pitched roof. The dwelling is finished in redbrick at first floor and includes a porch projecting across the frontage at ground level, finished in white render. The dwelling is served by an area of hard standing with provision for three vehicles.
- 2.3 To the rear is an existing extension approximately 5.6m deep, followed by an area of soft landscaping serving as a lawn leading to wooden decking. The application dwelling has a single roof light within the rear roof elevation.
- 2.4 The adjoining property (No. 301) projects to the same front building line as the application dwelling and is located on a similar land level.
- 2.5 The neighbouring property (No. 297) is built up to the shared boundary and enclosed by close board fencing and hedging. No. 297 has a rear extension projecting approximately 4m, closely aligned to the application site. This neighbour has a ridge height greater than the application dwelling.
- 2.6 The rear garden has an 'L' shaped footprint with the rear element wrapping around the rear garden of the adjoining neighbour No. 301.

3 Description of Proposed Development

- 3.1 Full planning permission is sought for a single storey rear extension and construction of detached outbuilding.
- 3.2 The proposed single storey rear extension would infill the space between the existing extension and western flank elevation of the original dwelling. It would have a depth of 5.6m and a width of 5.2m when incorporating the existing rear projection. The pitched roof to the existing rear extension would be removed, with a flat roof proposed across the full width with a maximum height of 2.6m.

- 3.3 The proposed detached outbuilding would have a depth of 5m, be 6m wide and have a height of 2.5m. It would have a flat roof and glazing within the front (western) elevation. The outbuilding would be positioned to the rear part of the garden where it wraps around the garden of No. 301. The submitted details indicate that the extension would be used for ancillary purposes, be a brick construction finished in yellow/cream render matching the existing dwelling.

4 Consultation

4.1 Statutory Consultation

4.1.1 Croxley Green Parish Council: [No response].

4.1.2 National Grid: [No response].

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 7

4.2.2 No of responses received: 0 objections, 0 letters of support

4.2.3 Site Notice: Not applicable Press notice: Not applicable

4.2.4 Summary of Responses:

- Not applicable

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 19 February 2019 the revised 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 2019 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 Development 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, DM9, DM13 and Appendices 2 and 5.

The Croxley Green Neighbourhood Plan Referendum Version (adopted December 2018) is also relevant, specifically Policy CA2 and Appendices B and C. The site is within Character Area 3.

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 (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'.
- 7.1.2 Policy DM1 and Appendix 2 of the Development Management Policies Local Development Document (adopted July 2013) set out that development should not lead to a gradual deterioration in the quality of the built environment, have a significant impact on the visual amenities of the area and that extensions should 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 Croxley Green Neighbourhood Plan (adopted December 2018) states that new development should seek to conserve and, wherever possible, enhance the key elements of the character and appearance of the Character Areas.
- 7.1.4 As set out in Appendix 2 of the Development Management Policies LDD (adopted July 2013), single storey rear extensions to semi-detached dwellings should generally have a maximum depth of 3.6m.
- 7.1.5 With a depth of 5.6m, the proposed single storey rear extension would fail to comply with the criteria detailed above within DM1 and Appendix 2, of the Development Management Policies Local Development Document (adopted July 2013). However, the proposed extension would not exceed the depth of the existing extension and would infill the narrow

space between the existing extension and original flank elevation and would be constructed in materials to match. The existing pitched roof would be removed, with a lower flat roof proposed which would reduce the upper bulk of the development. Similarly, the rear location is such that there would not be opportunity to view the extension from the street. As such, whilst the depth of the extension exceeds the guidance detailed above it is not considered excessive, nor would it become a prominent feature which would cause harm to the character and appearance of the host dwelling, streetscene or area.

- 7.1.6 The proposed outbuilding would be located towards the rear of the site and would not be visible from the streetscene of New Road. The footprint would not appear excessive, with a large rear garden retained and the flat roof design with a maximum height of 2.5 metres would further reduce its prominence.
- 7.1.7 The sizes of outbuildings in the area does vary, however, the proposed outbuilding would appear subordinate to the host dwelling and application site and is considered appropriate for an ancillary outbuilding.
- 7.1.8 In conclusion, it is not considered that the proposed development would result in any adverse impact to the host dwelling or wider area. The development would therefore accord with 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 Policy CA2 and Appendices B and C of the Croxley Green Neighbourhood Plan (2018).
- 7.2 Impact on amenity of neighbours
- 7.2.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels of disposition of privacy, prospect, amenity and garden space'.
- 7.2.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in the loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.
- 7.2.3 The proposed single storey rear extension at the application site infills the space adjacent to a previously implemented extension. There would be no impact on No. 301 as the extension would be screened by the existing rear projection and the roof height closest to this boundary would be reduced. The extension would be set off the boundary with No. 297 which has an existing rear projection of similar depth such that it is not considered that the extension would result in demonstrable harm given the spacing and design incorporating low flat roof. Therefore, the proposed extension would not cause any loss of light or result in an overbearing development as experienced by either neighbour.
- 7.2.4 The proposed extension would not include flank windows therefore, the privacy of the adjacent neighbours would be maintained. The proposed ground floor glazing within the rear elevation of the proposed extension would primarily overlook the private amenity space of the application dwelling. As such, it is not considered that any overlooking would occur towards either neighbour.
- 7.2.5 The proposed outbuilding would be located to the rear of the application site. It would be sited sufficient distance from all neighbouring dwellings (including No's. closest to opposing neighbours (No. 5 and 7 Springfield Close to the rear) that it would not result in harm by virtue of overshadowing or loss of light. Additionally, fenestration within with the front elevation would face into the garden of the application dwelling and would not face towards any neighbouring dwelling. The existing boundary treatments would provide a degree of screening with the outbuilding not appearing prominent due to its scale and maximum height of 2.5 metres.

7.2.6 The proposed outbuilding is to be ancillary to the application dwelling and used for working from home by the residents of the application dwelling and therefore there will be no increase in the number of visitors to the site.

7.2.7 The proposed development is not considered to result in any adverse impact upon neighbouring occupiers and is acceptable in accordance with Policies CP1 and C12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies document (adopted July 2013).

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 amenity and garden space. Section 3 (Amenity Space) of Appendix 2 of the Development Management Policies document provides indicative levels of amenity/garden space provision. The application site benefits from 4 bedrooms and from a private amenity space measuring approximately 174sqm. Given the indicative amenity space standard for a 4 bedroom dwelling is 104sqm, the rear private amenity space is considered sufficient in size to adequately serve current and future occupiers of the dwelling following the proposed development.

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 and states that no protected species or biodiversity interests will be affected as a result of the application. The Local Planning Authority is not aware of any records of bats (or other protected species) within the immediate area that would necessitate further surveying work being undertaken.

7.5 Trees and Landscaping

7.5.1 Policy DM6 states that proposals should demonstrate that existing trees, hedgerows and woodlands will be safeguarded and managed during and after development in accordance with the relevant British Standard.

7.5.2 There is a tree located within the rear garden of the application site however it is not protected by a tree preservation order. The submitted application form states that the proposed development would not result in the loss of any existing trees within the site.

7.6 Highways, Access and Parking

7.6.1 Core Strategy Policy CP10 (adopted October 2011) requires development to make adequate provision for all users, including car parking. Policy DM13 in the Development Management Policies document (adopted July 2013) states that development should make provision for parking in accordance with the Parking Standards set out within Appendix 5. The Parking Standards require 4 bedroom residential dwellings to have 3 assigned spaces within the curtilage.

7.6.2 The parking layout within the application site is sufficient and adheres to the Parking Standards. There would be no increase in bedrooms.

7.7 Use of outbuilding

7.7.1 The outbuilding is proposed for ancillary purposes and is not intended for use as a separate residential or commercial unit.

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: SG/299/2019; SG/299/2018B.

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), Policies DM1, DM6, DM9 and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013) and Policy CA2 and Appendices B and C of the Croxley Green Neighbourhood Plan (2018).

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 dwelling.

Reason: To prevent the development being constructed in inappropriate materials 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:

11 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 development maintains/improves the economic, social and environmental conditions of the District.