

PLANNING COMMITTEE –27 FEBRUARY 2020

PART I - DELEGATED

11. **20/0034/FUL - Proposed two storey rear extension, single storey front and side extension and single storey front porch extension at 16 GONVILLE AVENUE, CROXLEY GREEN, WD3 3BY**

Parish: Croxley Green Parish Council
Expiry of Statutory Period: 04.03.2020

Ward: Dickinson
Case Officer: David Heighton

Recommendation: That Planning Permission be Granted

Reason for consideration by the Committee: Member of Council staff lives adjacent.

1. **Relevant Planning History**

- 1.1 18/0195/FUL: Proposed two storey rear extension, single storey side extension and single storey front porch extension – Permitted: 03.04.2018
- 1.2 19/2339/FUL: Proposed two storey rear extension, single storey front and side extension and single storey front porch extension – Withdrawn 08.01.2020

2. **Description of Application Site**

- 2.1 The application site is located on the western side of Gonville Avenue, Croxley Green. Gonville Avenue is a residential street located off Watford Road that is characterised by a mixture of semi-detached and terrace properties of a traditional design, many of which have been extended and altered. Gonville Avenue is within walking distance of Croxley Green Tube Station.
- 2.2 The application site is currently occupied by a two-storey semi-detached property finished in red brick to the frontage and beige pebbledash render to the northern flank and rear elevations. The property is located on a bend in the road, set back approximately 15m from the road at an angle of approximately 60 degrees and therefore is also set forward of the adjacent semi-detached dwelling at No.18.
- 2.3 Between the property and the road there is an area of lawn with a hedge to the front boundary. There is also a garage and a driveway to the northern boundary, which can accommodate 3 vehicles. To the rear of the dwelling is a garden of approximately 85sqm. Close boarded fencing boundary treatment encloses the rear garden.
- 2.4 The adjoining neighbour to the south, No.18 Gonville Avenue is set on the same land level but set further back at along a 60 degree angle building line from the host dwelling. This neighbour has had a first floor side and rear extension towards the south. The neighbour to the north, No.14 Gonville Avenue, is set in approximately 2.8m from the shared boundary with the application site and is set further forward.

3. **Description of Proposed Development**

- 3.1 The applicant is seeking full planning permission for a two storey rear extension, single storey front and side extension and single storey front porch extension.
- 3.2 The proposed single storey front and side extension would project 3.8m in width from the side of the front wall of the existing dwelling whilst extending by 1.2m to adjoin with the forward most wall. The side element of the extension would extend back to a depth of 7.5m and would be partially splayed. The extension would be located 1m from the boundary with

No.14. The roof form would be hipped with an eaves height of 2.4m and overall height of 3.5m.

- 3.3 A two storey rear extension is proposed. This would have a depth of 3.5m and would have a width of 8.9m at ground floor level and width of 6m at first floor level where it would be set a minimum of 3m from the boundary with No. 18. The first level element of the extension would have a double hipped roof form with a maximum height of 6.4m sloping down to the existing eaves height. The single storey element adjacent to No. 18 would have a sloping roof with a maximum height of 3.5m and would be built up to the boundary with No. 18.
- 3.4 A porch is also proposed, this would have a width of 2.7m and a depth of 1.95m, projecting from the forward most elevation of the house. It would have a hipped roof form with an overall height of 3.5m.
- 3.5 The proposed extensions would be finished in a peddle dash render to match the existing property.
- 3.6 Amended plans were sought during the application for alterations to the hip the roof of the porch, to match the proposed front extension and the adjacent property.

4. Consultation

4.1 Statutory Consultation

4.1.1 Croxley Green Parish Council: [No objection].

“CGPC appreciates the amended plan, following previous comments and does not object to the application, but recommends that the porch matches the style of the neighbouring property.”

Officer comment: The porch roof is now hipped.

4.1.2 National Grid: [No comments received]

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 7

4.2.2 No responses received: 0

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

In 2019 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 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.

The Croxley Green Neighbourhood Plan Referendum Version was adopted in December 2018. Relevant policies include: CA2, CA3 and Appendices B and C.

6.3 Other

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 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 Design Criteria at Appendix 2 of the Development Management Policies document state that generally the maximum depth of single storey rear extensions to semi-detached dwellings may be 3.6m although this distance should be reduced if the extension would adversely affect adjoining properties or be unduly prominent. It is also stated that two storey extensions may be positioned on the flank boundary provided that the first floor element is set in by a minimum of 1.2m. Front extensions should not be excessively prominent in the street scene.
- 7.1.3 The Croxley Green Neighbourhood Plan Referendum Version was adopted in December 2018. Policy CA2 of the Croxley Green Neighbourhood Plan states that domestic extensions requiring planning consent should seek to conserve and enhance the Character Areas through the careful control of massing, alignment and height. Extensions that have an overbearing or adverse visual effect on the Character Area in which it is located will be resisted. The application dwelling is located within Character Area 4.
- 7.1.4 Policy CA3 of the Croxley Green Neighbourhood Plan states that the design of all new buildings and extensions in the following streets or areas should respect and be in harmony with the character and scale of the immediate environment. This includes the Gonville Avenue estate highlighted for its '1920s "cottage estate" early social housing'.
- 7.1.5 The Croxley Green Neighbourhood plan makes reference to the special character of the dwellings on Gonville Avenue and Policies CA2 and CA3 seek to require extensions that respect and preserve the character of such properties. The proposed two storey rear extension would hold a maximum depth of 3.5m from the original rear elevation of the dwelling at ground floor level, which would comply with the 3.6m guideline set out by the Design Criteria. Given the design of the proposed extension to the rear, it would be significantly set down from the existing ridge line of the host dwelling and would be set in approximately 3m from the shared southern boundary. Gonville Avenue is mixed with regards to extensions and alterations, it is not considered that the proposed part single, part two storey rear extension would appear unduly prominent within the street scene of Gonville Avenue or cause significant harm to the character of the host dwelling, street scene or area.
- 7.1.6 The single storey front and side extension to the northern flank would have a sloped roof and would be set back from the front elevation of the dwelling to match the existing flank and would set back 1m from the adjoining neighbouring boundary No. 14. No windows to the flank elevation are proposed and a pebble dash render would be applied to match the existing part of the property. To the front of the dwelling, the extension would infill the existing front area with a depth 1.2m. It would be set in from the common boundaries and given its single storey nature, it is not considered that it would be unduly prominent or incongruous within the street scene of Gonville Avenue or adversely affect the appearance of the host dwelling. Therefore, the single storey front and side extension would not appear prominent or cause significant harm to the character of the dwelling.
- 7.1.7 The proposal includes additional glazing to the rear of the dwelling; however this would not be apparent from Gonville Avenue and would not cause demonstrable harm to the street scene or area.
- 7.1.8 A front porch would also be erected, with the plans indicating that this would be of modest depth, with the height and hipped roof form matching the adjoining neighbouring property at No. 18 and the proposed side extension. Given it would remain as set back from the Gonville Avenue frontage, it is not considered that this would appear excessively prominent.

- 7.1.9 While the proposal would increase the scale of the dwelling, subject to the use of materials to match the existing dwelling, the proposed extensions would not result in demonstrable harm to the character or appearance of the host dwelling or area and would not appear unduly prominent in the street scene of Gonville Avenue. 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 document and Policies CA2, CA3 and Appendices B & C of the Croxley Green Neighbourhood Plan Referendum Version (adopted December 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 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.
- 7.2.2 To ensure that loss of light would not occur to the habitable rooms of neighbouring dwellings as a result of new development, the Design Criteria at Appendix 2 of the Development Management Policies document advise that two storey development should not intrude a 45 degree splay line across the rear garden from a point on the joint 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 the position of windows and development on neighbouring properties.
- 7.2.3 The Residential Design Criteria at Appendix 2 of the Development Management Policies document also advise that in the interests of privacy and to prevent overlooking, windows of habitable rooms at first floor level and above should not generally be located in flank elevations. Flank windows of other rooms should be non-opening, below 1.7m from internal floor level and obscure glazed.
- 7.2.4 The proposed two storey rear extension would intrude a 45 degree splay line taken from the boundary in line with the rear elevation of the neighbour to the south, No.18 Gonville Avenue by approximately 0.4m. This neighbour is on the same land level and is built in line with the application dwelling. However, due to the proposed two storey element of the extension being set in 3m from the shared southern boundary, it would not result in loss of light to the rear of this neighbour which is favourably sited to the south of the application site. The proposed single storey part of the extension would project 3.5m deeper than the existing ground floor rear elevation of this neighbour, however given the proposed height of the single storey element, there is minimal potential for overshadowing. Therefore the proposed ground floor extension would not result in loss of light or have an overbearing impact.
- 7.2.5 The neighbour at No.14 Gonville Avenue adjoins the northern flank of the host dwelling. The proposed two storey rear extension would not intrude a 45 degree splay line taken from the boundary in line with the rear elevation of this neighbour and would be set in 2.3m from the flank boundary. The proposed single storey front and side extension would be set in a minimum of 1m from the shared northern flank boundary with this neighbour and it would be set back approximately 1.7m from the front elevation of the neighbouring dwelling with a minimum distance of 3.6m to the neighbouring flank elevation. It would project 3m deeper than the existing ground floor rear elevation of this neighbour, however, given the proposed single storey height and hipped roof form of the side extension and that the side extension would be set in a minimum of 1m from the shared boundary no harm would result. It is therefore considered that the proposed extensions would not therefore cause loss of light or appear overbearing to this neighbour resulting in demonstrable harm.

7.2.6 Glazing at all floor levels is proposed to the rear of the dwelling. This glazing would be set over 28m from dwellings to the rear. As such, there would not be overlooking to neighbouring habitable windows. While there would potentially be views of neighbouring gardens, these views would not be significantly different to existing views available from the first floor fenestration so as to cause loss of privacy justifying refusal of permission.

7.2.7 The front porch would be set in from both boundaries and of limited depth such that it would not result in harm to neighbouring amenity.

7.2.8 In summary, it is not considered that the proposed development would result in a significant adverse impact on any neighbouring dwelling and 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 LDD.

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. The Design Guidelines (Appendix 2 of the Development Management Policies document) set out that a four bedroom dwelling should provide 105sqm amenity space.

7.3.2 The application site would retain a rear garden of approximately 85sqm. This is less than the required levels, however, acceptable levels of usable amenity space would be retained and the site is within walking distance of public open space of Croxleyhall Woods and Barton Way, such that the short fall would not result in harm to the occupiers of the property or appear out of character with the area to justify refusal of planning permission.

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. However, given that the development would affect the roof of the dwelling an informative would be added to any consent advising the applicant what to do should bats be discovered during the course of development.

7.5 Trees and Landscaping

7.5.1 Policy CP12 of the Core Strategy expects development proposals to 'have regard to the character, amenities and quality of an area', to 'conserve and enhance natural and heritage assets' and to 'ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features'.

7.5.2 Policy DM6 of the Development Management Policies LDD advises that development 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.

7.5.3 No significant trees would be affected by the proposed development.

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 and advise that a four or more bedroom dwelling should provide parking for three vehicles.

7.6.2 The proposed development would result in the loss of a garage and is proposed to be a four bedroom dwelling. The existing garage has an internal width of 2.3m, which would not generally be considered sufficient to accommodate a modern sized vehicle and as a result there would be no difference to the current parking provision. In this case, 3 off street car parking spaces can be accommodated in accordance with standards.

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: TRDC 001 (Location Plan); 16/0; 16/1 REV E; 16/2 REV A; 16/3 REV E; 16/5; 16/6 REV F; 16/8 REV E.

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the area and residential amenity of neighbouring occupiers, in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and Policies CA2, CA3 and Appendices B & C of the Croxley Green Neighbourhood Plan Referendum Version (adopted December 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 building.

Reason: To ensure a satisfactory appearance of the development and to maintain the character and appearance of the area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and Policies CA2, CA3 and Appendices B & C of the Croxley Green Neighbourhood Plan Referendum Version (adopted December 2018).

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 elevations or roof slopes of the extension/development 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

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) - 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 and/or their agent 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).