

PLANNING COMMITTEE - 26 JUNE 2020

PART I – DELEGATED

9. 20/0904/FUL: Single storey side extension at 34 THOMPSON WAY, MILL END, RICKMANSWORTH, WD3 8GP. (DCES)

Parish: Non-Parished
Expiry of Statutory Period: 07.07.2020

Ward: Penn and Mill End
Case Officer: Claire Wilson

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: The application is brought to Committee as the applicant is a member of staff.

1 Relevant Planning History

- 1.1 16/2732/CLPD: Certificate of Lawfulness Proposed Development: Single storey rear extension. Application permitted. Permission implemented.

2 Description of Application Site

- 2.1 The application site consists of a two storey end of terrace dwelling which occupies a corner plot location to the north west of Thompson Way, Mill End. The streetscene consists of a mix of dwellings of varied size and architectural design. To the front of the application site is an area of soft landscaping and an area of hardstanding with provision for one off street car parking space.
- 2.2 The flank boundary of the site is stepped and is narrower towards the front of the application site. The flank boundary is currently enclosed by an existing close boarded timber fence. To the rear, the dwelling has been previously extended with a single storey rear extension with mono pitched roof form.

3 Description of Proposed Development

- 3.1 The applicant is seeking full planning permission for a single storey side extension.
- 3.2 The front wall of the extension would be flush with the flank wall of the existing dwelling and would have a minimum width of approximately 1.6m for a depth of approximately 5.2m. The side extension would have a stepped width due to the nature of the existing boundary and would step out to a maximum width of 2.4m for a depth of 6.6m. The rear wall of the extension would be flush with the ground floor rear wall of the existing dwelling. The extension would be located immediately adjoining the boundary with the existing footway.
- 3.3 In terms of design, the extension would have a mono pitched roof form with a maximum height of 3.2m. A parapet wall is proposed which would immediately adjoin the footway and this would have a height of 2.8m. Four rooflights would be installed in the flank roof slope of the proposed extension.

4 Consultation

4.1 Statutory Consultation

- 4.1.1 National Grid: No comments received

4.2 Public/Neighbour Consultation

- 4.2.1 Number consulted: 12 No of responses received: None at the time of writing

4.2.2 Site Notice: Not applicable Press notice: Not applicable.

5 Reason for Delay

5.1 Not applicable.

6 Relevant Planning Policy, Guidance and Legislation

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.

6.1 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.

6.2 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

Due to the on-going Coronavirus pandemic and the current social distancing measures in place no site visit was undertaken by the Case Officer. However, during the course of the application photographs were submitted by the applicant which show clearly the relationship of the host dwelling and neighbouring properties. Other platforms such as Google Maps and Google Street View were also used to aid the Officer's assessment. It is considered that the information received and use of other technological platforms has enabled the LPA to assess the application.

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 The application dwelling occupies a corner plot location and it is proposed that the side extension would extend the depth of the existing dwelling and would be constructed immediately adjacent to the boundary with the highway. Appendix 2 of the Development Management Policies LDD advises that for single storey side extensions, the proximity to the boundary will be assessed on a case by case basis. It is acknowledged that the proposed development would result in a relatively deep flank wall located immediately adjacent to the highway and as a result would be readily visible from a number of public vantage points. However, given the extension would be single storey and that there are other similar types of extension located on other corner plots within the vicinity, it is not considered that it would appear excessively prominent or uncharacteristic.

7.1.3 Subject to a condition requiring the use of matching materials, it is considered that the development would be acceptable and in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

7.2 Impact on amenity of neighbours

7.2.1 Policy CP12 of the Core Strategy sets out 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 LDD provides further guidance on residential extensions and states that development should not be overbearing and should not result in any loss of light.

7.2.2 The proposed single storey side extension would not have any impact on the adjoining neighbour as it would be screened by the existing dwelling.

7.2.3 The extension would be most visible to no's.1, 2 and 68 Thompson Way as the front elevation of these dwellings face towards the flank elevation of the host dwelling. Whilst the extension would be visible, given its single storey nature and the separation by the highway, it is not considered that it would be overbearing and it would not result in a loss of light. The plans indicate that there would be no windows located in the flank wall of the extensions and thus there would also be no overlooking to these neighbours. There would be a number of rooflights located in the roof form, but given these would be set at high level and their angle, no objection is raised.

7.2.4 The proposed extension would not project beyond the existing front or rear walls of the dwelling and therefore the development would not result in any harm to neighbours located to the rear of the site or opposite the front elevation of the host dwelling.

7.2.5 In summary, the development would not result in any harm to the residential amenities of neighbouring occupiers. The development is considered acceptable and 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

7.3.1 Appendix 2 of the Development Management Policies LDD advises that a three bedroom dwelling should have 84 square metres of amenity space. The remaining garden area would have an area of approximately 85 square metres and therefore sufficient garden space would be available for use by present and future occupiers of the site.

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 which states that there would be no harm to protected species. Given the single storey nature of the extension, it is considered that there would be no harm in this regard.

7.5 Trees and Landscaping

7.5.1 There is a large tree within the rear garden of the application site, at the end of the garden. The development would be constructed on existing hardstanding and would not extend beyond the existing rear wall of the dwelling and as such it is not considered that there would be any harm to the existing tree.

7.6 Highways, Access and Parking

7.6.1 Policy CP10 of the Core Strategy advises that development should provide a safe and adequate means of access. Policy DM13 and Appendix 5 of the Development Management Policies LDD relate to car parking provision and advises that a three bedroom dwelling should have two off street car parking spaces.

7.6.2 The existing dwelling has two car parking spaces, one of which is located to the front of the dwelling and one within an existing garage which is not attached to the dwelling. The proposed extension would not encroach into the area currently utilised for car parking and would not increase the requirements for additional parking provision. As such, no objection is raised in this regard.

8 **Recommendation**

8.1 That subject to no new material considerations being raised, 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), 34 / 0 REV B, 34 / 1 REV B, 34 / 2 REV B, 34 / 5 REV B, 34 / 6 REV B, 34 / 8 REV B
- Reason: For the avoidance of doubt, in the proper interests of planning and residential amenity 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).
- C3 Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.
- Reason: To ensure that the external appearance of the building is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

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. If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.
- 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.

- I2 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.
- I3 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.