

PLANNING COMMITTEE - 13 AUGUST 2020

PART I - DELEGATED

5. 20/1050/FUL – Single storey rear extension at 1 GLENCORSE GREEN, SOUTH OXHEY, WD19 6ER (DCES)

Parish: Watford Rural Parish Council

Ward: Carpenders Park

Expiry of Statutory Period: 18 August 2020

Case Officer: Katy Brackenboro

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: The applicant is a Councillor.

1 Relevant Planning History

- 1.1 8/440/89 - Conservatory. Permitted. 06.09.1989. Not implemented.
- 1.2 8/913/85 - Garage. Permitted. 04.04.1986. Implemented.
- 1.3 8/218/85 - Two storey side extension and new pitched roof over existing front extension. Permitted 1985. Implemented.
- 1.4 8/225/81 - Extension to kitchen, utility room, lobby. Permitted. 14.04.1981. Implemented.

2 Description of Application Site

- 2.1 The application site is located on the northern side of Glencorse Green, which is a residential cul-de-sac off Caldwell Road in South Oxhey. The properties in the vicinity are characterised by semi-detached properties of varying styles of architecture, some of which have been extended and altered.
- 2.2 The application site is irregular in shape and tapered to the rear. The application site contains a semi-detached two storey dwelling which has previously extended via a two storey side extension, single storey front canopy with mono-pitched roof and a flat roofed garage to the east. The host dwelling is finished in white render at ground floor and horizontal white painted timber cladding at first floor level.
- 2.3 To the front is a paved driveway with provision for at least two car parking spaces. To the rear is a patio area which abuts the rear elevation of the host dwelling and leads to a lower area of patio to the rear of the application site.
- 2.4 The adjoining semi-detached property at No.2 Glencorse Green is located on a similar land level to the host dwelling. It has a flat roofed single storey rear extension set up to the common boundary with the application dwelling. The common boundary is splayed and comprises a 1.5m high brick wall.
- 2.5 The neighbouring property to the north-east at No.24 Caldwell Road is located at an angle to the application dwelling with a single storey detached garage situated between the neighbouring property and the host dwelling. The common boundary is splayed and the boundary treatment comprises of a 1.5m high brick wall.

3 Description of Proposed Development

- 3.1 The application seeks full planning permission for a single storey rear extension.

- 3.2 The proposed single storey rear extension would have a depth of 3.5m from the original rear elevation of the host dwelling and a width of 6.8m. It would be constructed up to the common boundary with No.2 Glencorse Green and would be set in approximately 1.6m from the common boundary with No.24 Caldwell Road at its minimum. It would have a flat roof with a maximum height of 2.8m. Two rooflights are proposed within the roof.
- 3.3 The proposed rear extension would have a white rendered exterior to match the appearance of the existing dwelling. No flank glazing is proposed. Patio doors and a window would be inserted into the rear elevation of the proposed extension.

4 Consultation

4.1 Statutory Consultation

- 4.1.1 Watford Rural Parish Council: No response received.
- 4.1.2 National Grid: No response received.

4.2 Public/Neighbour Consultation

- 4.2.1 Number consulted: 8
- 4.2.2 No of responses received: 1 Support comment
- 4.2.3 Summary of response: No objection raised as the proposal does not affect my view.
- 4.2.4 Site/Press Notice: Not required.

5 Reason for Delay

- 5.1 Not applicable.

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 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, CP8, 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 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.

7.2 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. Policy CP12 of the Core Strategy states that development should 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'conserve and enhance natural and heritage assets'.

7.2.2 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. As set out Appendix 2, single storey rear extensions to semi-detached dwellings should generally have a maximum depth of 4m. The Design Criteria states this distance may be reduced if the extension would adversely affect adjoining properties or is unduly prominent.

7.2.3 The proposed rear extension would be located to the rear of the host dwelling and would not be visible from the wider streetscene of Glencorse Green. Therefore it would not become a prominent feature within the wider area. Given its depth of 3.5m which complies with the guidelines, it is not considered that the rear extension would not appear excessive in relation to the size of the host dwelling. Its flat roof form for a single storey extension is not uncommon and would be similar to the neighbouring flat roofed extension. Due to its single storey nature the extension by virtue of its depth and design would respect the host

dwelling and as such it would not appear out of character and would not have a detrimental impact on the character and appearance of the host dwelling, streetscene or wider area. Furthermore, it is noted that it would be constructed in materials to match the exterior of the host dwelling.

7.2.4 In summary, the proposed development would therefore not result in an unduly prominent addition and would be acceptable with regard to its impact on the host dwelling, street scene and wider area. The development would comply with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the DMP LDD.

7.3 Impact on Amenity of Neighbours

7.3.1 Policy CP12 of the Core Strategy advises that development will be expected to protect residential amenity. Appendix 2 of the DMP LDD comments that all developments are expected to maintain acceptable standards of privacy for both new and existing residential buildings and development should not result in loss of light to the windows of neighbouring properties nor allow overlooking. The Design Criteria at Appendix 2 of the DMP LDD sets out that single storey rear extensions to terraced dwellings should generally not exceed 3.6m in depth.

7.3.2 The proposed rear extension would be set up to the common boundary with the adjoining neighbour at No.2 Glencorse Green. This neighbour has a single storey rear extension which extends approximately 3.5m beyond the existing rear building line, therefore the proposed extension would not project any deeper than this neighbouring dwelling and would comply with the guideline figure within Appendix 2 for semi-detached properties. Given the scale of the proposed extension, it is not considered that the proposed rear extension would result in any detrimental impact in terms of loss of light or overbearing impact to the residential amenity of the occupiers of this neighbouring property.

7.3.3 Given the scale and siting of the proposed rear extension, and the separation distance it is not considered that it would result in any harm in terms of overbearing impact or loss of light or privacy to the neighbouring property at No.24 Caldwell Road.

7.3.4 In terms of overlooking, the rear facing glazing proposed would overlook the rear amenity space of the application dwelling and would not give rise to any unacceptable overlooking to any neighbouring dwelling.

7.3.5 In summary, it is not considered that the proposed development would result in demonstrable harm to neighbouring amenity and as such complies with Policy CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the DMP LDD in this respect.

7.4 Highways and Parking

7.4.1 Policy DM13 of the Development Management Policies LDD requires developments to ensure that sufficient parking is provided in accordance with the parking standards set out at Appendix 5 of the Development Management Policies LDD.

7.4.2 The proposal would not result in any additional bedrooms and would not alter the parking requirements against the standards of Appendix 5. Onsite parking would be retained to the front which could accommodate at least two cars.

7.5 Amenity Space Provision

7.5.1 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 existing dwelling has 4 bedrooms and has an outdoor amenity space of 88 sqm. Appendix 2 of the Development Management Policies sets out that a 4 bedroom dwelling should provide 105 sqm of private, usable

amenity space. As such, it is noted that the existing dwelling has a shortfall of amenity space of 17sqm compared to the indicative standards.

- 7.5.2 The application site would retain approximately 62sqm of amenity space to the side and rear of the proposed rear extension which would result in a shortfall of 43 sqm, an increase of 28 sqm from the existing shortfall. Whilst this represents a shortfall and would not comply with the indicative level in Appendix 2, it is noted that the application site already has a shortfall in space relative to the indicative standards in Appendix 2. In addition it is acknowledged that Ashridge Play Area and Prestwick Road Meadows are sited 0.4 miles (approximately 8 minute walk via lit pavement) to the south west of the application site. As such, having regard to the existing shortfall, the proximity of large open green amenity verges and the close proximity of play areas and public open space, it is not considered the proposed further shortfall would result in the creation of such a small and poor quality amenity space that it would harm the amenities of current or future occupants.

7.6 Wildlife and Biodiversity

- 7.6.1 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.
- 7.6.2 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.
- 7.6.3 The application has been submitted with a Biodiversity Checklist which stated that no protected species or biodiversity factors will be affected as a result of the application. 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.

7.7 Trees and Landscaping

- 7.7.1 Policy DM6 of the Development Management Policies 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.
- 7.7.2 The application site is not located within a Conservation Area nor are there any protected trees on or near the site. As such it is not considered that the proposed development would result in any harm in this respect.

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: 01, 02 and 03.

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

- 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.

- 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.