

PLANNING COMMITTEE – 22 APRIL 2021

PART I - DELEGATED

6. 21/0237/FUL - Part single storey, part two storey rear extension, front porch and alterations to the front elevation comprising a new bay window at 36 GONVILLE AVENUE, CROXLEY GREEN, WD3 3BY (DCES)

Parish: Croxley Green Parish Council

Ward: Dickinsons

Expiry of Statutory Period: 30.04.2021 (Agreed Extension)

Case Officer: Freya Clewley

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: Called in to Planning Committee by Croxley Green Parish Council for the reasons set out below at 4.1.1.

1 Relevant Planning History

- 1.1 20/2553/PDE - Prior Approval: Single storey rear extension (depth 6 metres, maximum height 3.6 metres, maximum eaves height 2.55 metres) – Withdrawn 07.01.2021.
- 1.2 20/2547/FUL - Part single storey, part two storey rear extension and alterations to the front elevation comprising a new bay window – Withdrawn 03.02.2021.
- 1.3 21/0334/PDE - Prior Approval: Single storey rear extension (depth 6 metres, maximum height 3.8 metres, maximum eaves height 2.7 metres) – No Objection 18.03.2021.

2 Description of Application Site

- 2.1 The application site is rectangular in shape and contains a two storey semi-detached dwelling located on the southern side of Gonville Avenue, Croxley Green. Gonville Avenue is a residential road characterised by semi-detached and terraced dwellings of similar architectural styles and designs, some of which have been extended or altered.
- 2.2 The host dwelling has a mixed red brick and white rendered exterior, with a tiled pitched roof form and a two storey side projection, set down from the maximum ridge of the host dwelling with a blank first floor level within the front elevation. The host dwelling has an existing rear dormer window and front rooflight. There is hardstanding to the frontage with space for two vehicles. A patio area abuts the rear elevation of the host dwelling, leading to an area of lawn and soft landscaping.
- 2.3 The neighbour to the east, number 38 Gonville Avenue, adjoins the eastern flank of the host dwelling. This neighbour has a similar character and appearance to the host dwelling, and has no existing extensions to the rear. This neighbour is located on the same land level and building line as the host dwelling.
- 2.4 The neighbour to the west, number 34 Gonville Avenue, is set in from the shared boundary with the application site. This neighbour is located on the same land level, set back from the host dwelling, thus the rear elevation of this neighbour extends beyond the existing rear elevation of the host dwelling.

3 Description of Proposed Development

- 3.1 Full planning permission is sought for the construction of a part single storey, part two storey rear extension, front porch and alterations to the front elevation comprising a new bay window. The proposed development would result in a four bedroom dwelling (no additional bedrooms).
- 3.2 At ground floor level, the proposed rear extension would have a depth of 3.5m from the existing deepest point of the rear elevation of the host dwelling, with a width of 9m, across the rear elevation of the host dwelling. The rear extension would have a depth of 4.4m from the existing recessed rear elevation of the side projection. The single storey element of the rear extension would have a pitched roof form with flat roof section. The single storey rear extension would have a maximum height of 3.6m and an eaves height of 2.8m. Bi-folding doors and a window are proposed within the rear elevation of the extension, with a rooflight within the flat roof section, serving the ground floor.
- 3.3 At first floor level, the rear extension would have a depth of 3.7m from the existing western flank of the side projection, extending 2.9m beyond the main two storey rear elevation of the host dwelling. This element would have a width of 4.7m, set in 4.4m from the eastern boundary of the application site. The extension would have a pitched roof form, creating a rear gable feature, with a maximum height of 6.9m and an eaves height of 5m. A window is proposed within the rear elevation of the extension at first floor level. The proposed part single, part two storey rear elevation would be finished in white render to match the existing dwelling.
- 3.4 The proposed front porch would have a depth of 1.2m and a width of 2.4m with a pitched roof form. The porch would have a maximum height of 3.5m. A full height glazed panel and front door are proposed within the front elevation of the porch. The porch would be finished in brickwork to match the host dwelling.
- 3.5 The proposal would include alterations to the front elevation of the side projection to create a bay window. At ground floor level, the bay window would extend 1.6m forward of the existing front elevation of the side projection, with a width of 2.5m. This element would have a pitched roof form with a maximum height of 3.6m. This element would be finished in brickwork to match the host dwelling. At first floor level, the dormer style window would have a depth of 0.8m and a width of 2m. The first floor level bay window would have a pitched roof form with a maximum height of 6.1m. An additional window is proposed at first floor level within the front elevation.
- 3.6 The proposal would include alterations to the application site frontage to extend the hardstanding and remove the soft landscaping to the east.
- 3.7 The current application has a similar description to the previously withdrawn application reference 20/2547/FUL, however the width and design of the first floor element of the rear extension has been amended.

4 Consultation

4.1 Statutory Consultation

4.1.1 Croxley Green Parish Council: [Objection]

Croxley Green Parish Council note the changes made versus the previous application, but the changes do not address all our concerns.

Croxley Green Parish Council objects as application is out of keeping with the character of the area. The porch, dormer and bay window do not comply with the Neighbourhood Plan CA3. If the Planning Officer is minded to approve, then CGPC request that it be considered by TRDC planning committee.

4.1.2 National Grid: No response received.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 6

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

4.2.3 Site Notice: Expired: 12.03.2021. Press notice: Not applicable

5 Reason for Delay

5.1 Committee cycle.

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.

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

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 Appendix 2 of the Development Management Policies document sets out that single storey rear extensions to semi-detached dwellings should generally not exceed 3.6m in depth and that two storey rear extensions will be assessed on their individual merits. Front extensions will be assessed on their individual merits but should not be excessively prominent within the streetscene.
- 7.1.3 Policy CA2 of the Croxley Green Neighbourhood Plan states that domestic extensions requiring planning consent should seek to conserve and enhance 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. Policy CA3 of the same Neighbourhood Plan identifies Gonville Avenue as a street with special characteristics, and states that the design of all new buildings and extensions within such streets should respect and be in harmony with the character and scale of the immediate environment. Appendix C sets out the criteria for extensions and states that new front porches should complement the existing design and materials. They should not generally extend in front of the existing building line. The application site is located within Character Area 4.
- 7.1.4 The proposed single storey rear extension would have a depth of 3.5m from the existing main two storey rear elevation of the host dwelling, thus the depth would comply with the guidance depth of 3.6m outlined at Appendix 2 of the Development Management Policies document. Furthermore, the single storey rear extension would be sited to the rear, constructed in line with the existing flank elevations of the dwelling and would not be apparent from the streetscene of Gonville Avenue. Therefore, given the depth and siting of the proposed extension, it is not considered that the single storey rear extension would appear unduly prominent within the streetscene of Gonville Avenue, nor result in harm to the character or appearance of the host dwelling, streetscene or wider area.
- 7.1.5 The proposed two storey rear extension would be constructed in line with the existing western flank of the host dwelling, and it would extend 2.9m beyond the existing main two storey rear elevation of the host dwelling. The extension would have a pitched roof form, reflecting the roof form of the existing dwelling, set down approximately 1.9m from the maximum ridge of the host dwelling, thus it is considered that the two storey rear extension would be a subordinate addition to the host dwelling. Therefore, given the depth of the two storey extension and the design, height and roof form of the extension, it is not considered

that the proposed two storey rear extension would result in harm to the character or appearance of the host dwelling, streetscene or wider area.

- 7.1.6 The proposed front porch would have a depth of 1.2m and a width of 2.4m. It is noted that the Parish Council have raised an objection to the proposed front porch, however, there is no National or Local Planning Policy that requires the retention of existing building lines and whilst the proposed porch would extend forward of the host dwelling, given the limited size and scale of the proposed porch and that other properties within the vicinity have existing porches of a similar scale and design, particularly those dwellings at numbers 22, 24, 28 and 30 Gonville Avenue, which are all of a similar scale and appearance, it is not considered that the proposed porch would appear unduly prominent within the streetscene of Gonville Avenue, nor result in harm to the character or appearance of the host dwelling, streetscene or wider area.
- 7.1.7 The proposal would include alterations to the front elevation of the side projection to create a bay window and front dormer style window. At ground floor level, the bay window would extend 1.6m forward of the existing front elevation of the side projection, with a width of 2.5m. At first floor level, the dormer style window would have a depth of 0.8m and a width of 2m. The first floor dormer style window would have a pitched roof form with a maximum height of 6.1m. An additional window is proposed at first floor level within the front elevation. It is noted that the Parish Council have raised concerns in relation to this element, however, whilst these concerns are noted, as outlined within the paragraph above, there is existing variation within the streetscene of Gonville Avenue with regards to front extensions and alterations, and whilst the proposed bay windows would be visible from the streetscene of Gonville Avenue, it is not considered that the proposed bay window or dormer style window would be of a size and scale which would appear unduly prominent within the streetscene of Gonville Avenue, and the fenestration would be of a size and scale which would be appropriate and proportionate to the host dwelling. In addition, the existing side projection has limited articulation and the alterations are considered a positive enhancement. Therefore, it is not considered that the proposed bay windows would result in harm to the character or appearance of the host dwelling, streetscene or wider area.
- 7.1.8 Given the scale of the proposed alterations to the hardstanding within the application site frontage, it is not considered that this element would result in harm to the character or appearance of the host dwelling, streetscene or wider area.
- 7.1.9 In summary, it is not considered that the proposed extensions and alterations would appear unduly prominent within the streetscene of Gonville Avenue, nor result in harm to the character or appearance of the host dwelling, streetscene or wider area. As such, the proposed development would comply with Policies CP1 and CP12 of the Core Strategy, Policy DM1 and Appendix 2 of the Development Management Policies document and Policies CA2 and CA3 and Appendices B and C of the Croxley Green Neighbourhood Plan.

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 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. Two storey developments to the rear of dwellings should not intrude a 45 degree splay line drawn across the rear garden from a point on the joint boundary level with the rear wall of the adjacent property, although this principle is dependent on the spacing and relative positions of dwellings.
- 7.2.2 The proposed single storey rear extension would have a depth of 3.5m from the existing main two storey rear elevation of the host dwelling, constructed up to the eastern boundary of the application site. The extension would extend 3.5m beyond the main two storey rear

elevation of the adjoining neighbour to the east. Whilst the extension would extend beyond the rear elevation of this neighbour, given the depth and height of the eaves of the proposed extension, it is not considered that the proposed single storey rear extension would result in harm to the neighbour to the east. The proposed single storey extension would extend approximately 2.4m beyond the existing rear elevation of the neighbour to the west. In addition, the extension would be set in 1m from the western boundary at its deepest point and the neighbour to the west is set in from the shared boundary with the application site by approximately 1m. Therefore, given the depth of the single storey rear extension and the spacing between the host dwelling and the neighbour to the west, it is not considered that this element would result in any harm to the neighbour to the west.

- 7.2.3 The proposed two storey rear extension would be set in 4.4m from the eastern boundary, and set in 1m from the western boundary, constructed in line with the existing western flank elevation of the host dwelling. The proposed two storey rear extension would not intrude a 45 degree splay line when taken from a point on the shared boundary level with the rear elevation of the adjoining neighbour to the east. In addition, given the spacing maintained between the extension and the eastern boundary, and the depth of the extension, it is not considered that the two storey rear extension would result in any harm to the neighbour to the east.
- 7.2.4 The proposed two storey rear extension would intrude a 45 degree splay line when taken from a point on the shared boundary level with the rear elevation of the neighbour to the west by approximately 0.6m. However, the extension would not intrude a 45 degree splay line when taken from the corner of the neighbour closest to the application site, and given the depth of the extension and the spacing maintained between the extension and the neighbour to the west, it is not considered that the two storey rear extension would result in harm to this neighbour.
- 7.2.5 The proposed porch would be sited centrally to the front elevation of the host dwelling. Given the siting, size and scale of the porch, it is not considered that this element would result in any harm to neighbouring amenity.
- 7.2.6 The proposed bay window and dormer style window would be constructed in line with the existing western flank of the host dwelling, and as such, this element would not result in any harm to the neighbour to the east. Whilst the bay windows would be constructed to the western aspect of the front elevation, given the spacing maintained between this element and the neighbour to the west, and the size and scale of the bay windows, it is not considered that this element would result in any harm to the neighbour to the west.
- 7.2.7 Given the nature of the proposed alterations to the hardstanding, it is not considered that this element would result in any harm to neighbouring amenity.
- 7.2.8 In terms of overlooking, an additional window is proposed within the front elevation at first floor level, as well as the proposed bay window and dormer style window. This fenestration would have an outlook of the application site frontage, and would not result in any overlooking. The fenestration proposed at ground floor level within the rear elevation would have an outlook of the amenity space serving the host dwelling. The proposed fenestration at first floor level within the rear extension may have views of neighbouring gardens, however these views would not be significantly different to those already available from the first floor fenestration, and as such, it is not considered that the proposed development would result in unacceptable overlooking. Notwithstanding this, given the proximity of the proposed development to neighbouring amenity, it is considered reasonable to attach a condition to any granted consent to restrict any additional openings from being inserted within the flank elevations of the extensions.
- 7.2.9 In summary, subject to conditions, it is not considered that the proposal would result in any adverse impact to neighbouring amenity, and the proposal would therefore comply with Policy DM1 and Appendix 2 of the Development Management Policies document.

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 host dwelling would remain a four bedroom dwelling. Appendix 2 of the DMP LDD outlines that a four bedroom dwelling should retain 105sqm of amenity space.
- 7.3.2 Ample amenity space measuring approximately 175sqm would be retained at the rear of the dwelling to accommodate the proposed development and serve the host dwelling as a four bedroom dwelling.

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

7.5 Trees and Landscaping

- 7.5.1 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.
- 7.5.2 The proposed development would not impact any protected trees and the proposal is therefore acceptable in this regard.

7.6 Highways, Access and Parking

- 7.6.1 Policy DM13 of the Development Management Policies LDD requires development to make provision for parking in accordance with the parking standards set out at Appendix 5 of the Development Management Policies LDD. Appendix 5 of the Development Management Policies document states that a four bedroom dwelling should provide on site parking provision for three vehicles.
- 7.6.2 The proposal would not increase the number of bedrooms within the host dwelling. The proposed porch and bay window would extend forward of the existing main two storey front elevation of the host dwelling, and the proposed development would incorporate additional hardstanding to the eastern aspect of the application site frontage to maintain two onsite parking spaces. It is acknowledged that there is an existing shortfall of one parking space, however, given that the existing spaces would be retained and the proposal would not increase the number of bedrooms within the host dwelling, it is not considered that the proposed development would result in harm to highway safety and the proposal is considered to be acceptable in this regard. Notwithstanding this, to ensure that the proposal would not result in any loss of existing onsite parking, it is considered reasonable to attach a condition to any granted consent to require the parking layout to be implemented prior to the occupation of the development.

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: HH1 and HH2A.

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, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and Policies CA2, CA3 and Appendices B and C of the Croxley Green Neighbourhood Plan (adopted December 2018).

C3 The parking spaces shall be constructed in accordance with the approved plans prior to the first occupation of any part of the development hereby permitted. The parking spaces shall thereafter be kept permanently available for the use of residents and visitors to the site.

Reason: To ensure that adequate off-street parking and manoeuvring space is provided within the development so as not to prejudice the free flow of traffic and in the interests of highway safety on neighbouring highways in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C4 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).

C5 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 eastern or western flank 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:

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 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 applicant is advised that the requirements of the Party Wall Act 1996 may need to be satisfied before development commences.
- 14 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.