

PLANNING COMMITTEE - 27 MAY 2021

PART I - DELEGATED

12. 21/0826/FUL- Single storey side and rear extensions, conversion of garage, alterations to fenestration including bay window and front porch at 18 FOLLETT DRIVE, ABBOTS LANGLEY WD5 0LP

Parish: Abbots Langley Parish Council
Expiry of Statutory Period: 04 June 2021.

Ward: Abbots Langley and Bedmond
Case Officer: Katy Brackenboro

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: The agent is an elected Member.

1 Relevant Planning History

- 1.1 21/0827/CLPD: Certificate of Lawfulness Proposed Development: Construction of rear dormer and front rooflights to serve existing loft conversion. Pending consideration.

2 Description of Application Site

- 2.1 The application dwelling is a semi-detached property located on the northern side of Follett Drive, Abbots Langley. Follett Drive is a residential cul-de-sac. The dwellings within the vicinity of the site generally include semi-detached dwellings of a similar architectural style, many of which have been extended and altered.
- 2.2 The dwelling is two storey and has a flat roofed attached garage to the eastern flank. The loft has been converted into habitable accommodation with two rooflights to the rear roofslope. The dwelling is set back from the highway by approximately 8m. To the front of the application site is driveway with provision for two vehicles and an area laid to lawn.
- 2.3 The rear garden comprises of a patio adjacent to the rear elevation of the host dwelling leading to an area laid to lawn. There is a wooden shed located behind the garage.
- 2.4 The adjoining neighbour, 20 Follett Drive, to the west, has a similar front building line and land level to the application dwelling and has implemented a flat roofed single storey rear extension. The neighbouring single storey rear extension forms the common boundary which leads to close boarded fencing approximately 2m high.
- 2.5 The neighbouring dwelling to the east at No. 16 Follett Drive is set forward and on a lower land level in relation to the host dwelling. It has an integral garage located close to the common boundary. It has implemented a part single, part two storey side and rear extension. The common boundary is marked by close boarded fencing and vegetation approximately 1m high.

3 Description of Proposed Development

- 3.1 This application seeks full planning permission for single storey side and rear extensions, conversion of garage, alterations to fenestration including bay window and front porch.
- 3.2 The proposed side and rear extension would project from the eastern flank elevation and would have a width of 2.5m to be set up to the common boundary with No. 16 Follett Drive and have a depth of 9.9m (including the existing garage to be converted), extending 5.2m beyond the rear of the existing garage and 3m beyond the existing rear elevation adjacent to the neighbour at No. 20. The rear element would have a width of 8.8m. The proposed side and rear extension would have a pitched roof form with a maximum height of 3.5m and eaves height of 2.4m with parapet wall to the flank with a maximum height of 2.8m. Two

applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

6.2 The Three Rivers Local Development Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP9, CP10 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM6, 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**

Due to the on-going Coronavirus pandemic and the current social distancing measures in place no site visit was undertaken by the Case Officer as there is no access to the rear of the property without entering the dwelling internally. 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 existing garage is proposed to be converted and incorporated into the proposed side extension. The garage door would be replaced by a bay window. The bay window would reflect the existing bay window to the opposite side of the frontage, adding symmetry and

would therefore respect the character and appearance of the existing dwelling. The existing flat roof would be replaced by a pitched roof which is considered to enhance the appearance of the development within the street scene.

7.1.3 The proposed side and rear extension would have a depth of 3m beyond the original rear building line which would comply with Appendix 2 guidance which indicates that 3.6m is generally the maximum depth considered acceptable. The extension would be located to the rear of the converted garage and as such would not be prominent within the street scene. The pitched roof reflects the style and character of the existing dwelling and the extension would be constructed in materials to match existing. As such the proposed side and rear extensions are not considered to result in harm to the character or appearance of the host dwelling, street scene or area.

7.1.4 Appendix 2 outlines that single storey front extensions should not be excessively prominent within the streetscene. The proposed single storey front porch would be set in from the eastern flank by 2.6m, and it would be set in 4.1m from the western flank. Given its single storey nature, the size and scale of the porch and the mixed nature of Follett Drive it is not considered that this element would appear unduly prominent or incongruous within the streetscene.

7.1.5 Therefore, subject to the development being carried out in matching materials, it is not considered that the proposed extensions or alterations would result in harm to the character or appearance of the application dwelling, streetscene or wider area and the proposal is considered to be acceptable 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).

7.2 Impact on amenity of neighbours

7.2.1 Policy CP12 of the Core Strategy states that the 'Council will expect all development proposals to 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 reflect the above guidance.

7.2.2 Appendix 2 of the Development Management Policies LDD advises that single storey side extension will be assessment on their own merits and that generally single storey rear extensions to semi-detached properties can have a maximum depth of 3.6m.

7.2.3 The proposed single storey rear extension would have a depth of 3 metres from the original rear wall which would comply with the above guidance. The adjoining neighbour No. 20 has an existing rear extension which projects deeper than the existing rear elevation of the host dwelling and the proposed rear extension would be of comparable depth. As such the proposed rear extension would not result in demonstrable harm to the residential amenities of occupiers of No. 20 through overshadowing or loss of light. The proposed roof is not excessive in height and would not result in any harm to this adjoining neighbour.

7.2.4 The proposed side and rear extension would extend up to the boundary with No. 16. Due to the existing garage not extending for the full depth of the dwelling, the proposed extension would extend beyond the rear of the neighbour at No. 16 by 5.2m where this neighbour adjoins the boundary, although the central rear element of the neighbouring property is of greater depth. The planning history for the neighbour indicates that there is a study to the rear of the garage adjacent to the boundary with the application site. Whilst the depth of the extension is noted, given the favourable orientation (the neighbour being to the east) it is not considered that the development would result in such an overbearing impact or loss of light to result in demonstrable harm justifying the refusal of planning permission. The addition of pitched roof to the garage would be adjacent to the neighbouring dwelling so would not affect the amenity of neighbouring occupiers.

- 7.2.5 No flank glazing is proposed within the proposed side element and therefore no overlooking would be facilitated to No. 16 Follett Drive.
- 7.2.6 It is considered that the proposed rooflights within the eastern flank roofslope would not give rise to any unacceptable level of overlooking to No. 16 Follett Drive given their height and profile. Similarly, the proposed rear rooflights would not facilitate overlooking.
- 7.2.7 The proposed converted garage would result in the formation of a bay window to the frontage of the building. The garage conversion would not affect neighbouring amenity. The bay window is of limited projection so would not affect neighbouring amenity.
- 7.2.8 The proposed front porch given its limited scale and siting off both boundaries is such that it would not result in any adverse harm to the neighbouring properties and as such is considered acceptable.
- 7.2.9 In summary, the proposed development would not result in any significant adverse impact on the residential amenity of any neighbouring dwellings and the development would therefore be acceptable in accordance with Policy 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 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 3 bedrooms and the proposal development would not result in any additional bedrooms. Appendix 2 of the Development Management Policies sets out that a 3 bedroom dwelling should provide 84 sqm of private, usable amenity space. The rear garden which would be retained following the extension would exceed 84 sqm and would exceed the guideline figure and is considered acceptable.

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. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.
- 7.4.2 Biodiversity protection and protected species are a material planning consideration during the application process of this application. This is in accordance with Policy CP9 of the Core strategy in addition to Policy DM6 of the Development Management Policies Local Development Document. Local Authorities, in line with National Planning Policy, are required to ensure that a protected species survey is completed for applications whereby biodiversity may be affected prior to the determination of the application.
- 7.4.3 A biodiversity checklist was submitted with the application this 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 protected species within the immediate area that would require further assessment.

7.5 Trees and Landscaping

- 7.5.1 Policy DM6 of the DMP 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 application site is not located within a Conservation Area and no trees on or adjacent to the site are protected by a Tree Preservation Order. No trees of public amenity value would be harmed or removed by virtue of the proposal and the development is considered acceptable in this regard.

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. The standards dictate that a three bedroom property should retain two off street car parking spaces.

7.6.2 The proposal would not result in any additional bedrooms however it would result in the loss of the existing garage which is large enough to park one vehicle and the porch canopy would encroach upon the existing frontage. However, the amended site plan demonstrates that the driveway to the front of the application site would retain space for two cars. The proposal would therefore comply with the requirements of the parking standards. As such, the proposal would comply with the parking standards for a property of this size.

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: 100, 200A, 101 A and 201B.

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) and Policies DM1, DM6, DM13, 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 prevent the building being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

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 flank elevations or roof slopes of the extension 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) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) (for self-build housing) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The 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.