

PLANNING COMMITTEE - 24 JUNE 2021

PART I – DELEGATED

6. **21/0392/FUL: Demolition of existing garage/store and construction of single storey side extension at 2 WINTON CRESCENT, CROXLEY GREEN, WD3 3QX**

Parish: Croxley Green Parish Council
Expiry of Statutory Period: 01.07.21 (Agreed Extension)

Ward: Durrants
Case Officer: Clara Loveland

Recommendation: The Planning Permission be Granted.

Reason for consideration by the Committee: A member of staff lives within the neighbour consultation area.

1 **Relevant Planning History**

- 1.1 11/0267/FUL - Ground floor side extension, rear infill extension, enlarged and amended roof to form first floor accommodation. Application approved.
- 1.2 W/1246/49 - 2 Winton Crescent, Croxley Green, WD3 3QX – Bungalow.

2 **Description of Application Site**

- 2.1 The application site comprises of a detached bungalow located on the eastern side of Winton Crescent, Croxley Green. Winton Crescent is located within Character Area 6 of the Croxley Green Neighbourhood Plan. It is a residential street which predominately contains two storey semi-detached dwellings of a similar style and design. There are other bungalows located to the northern end of the street. The application site is splayed with a wider front boundary, narrowing to the rear.
- 2.2 The application dwelling has a Dutch hip roof form and is finished in a brown/red tiling with sand coloured brick. It has been altered and developed over time, now with living accommodation within the roof space served by a rear dormer window and front rooflights. The dwelling is characterised with bay windows located at ground floor.
- 2.3 The dwelling is set back from the highway by a front garden and driveway. It is bounded by a low brick wall and piers to the front. There is a detached garage adjacent to the dwelling, abutting the southern boundary line. The driveway could accommodate 2 vehicles. There is some on-street parking availability along Winton Crescent although, this is restricted Monday- Friday between the hours of 11am-12noon
- 2.4 There is a raised patio area surrounding the dwelling and an area of soft landscaping. Boundary treatment with adjacent neighbours is close boarded fencing approximately 1.8m in height. Neighbours to the south front Winton Drive with their rear gardens backing onto the flank boundary of the application site.

3 **Description of Proposed Development**

- 3.1 This application seeks planning permission for the demolition of existing garage/store and construction of single storey side extension.
- 3.2 The existing garage would be demolished. The proposed side extension would be located on the southern side of the application dwelling. It would project from southern wall to a maximum of 8.2m in width, adjoining the southern boundary line. Due to the splay of the southern boundary line, the extension would have a minimum width of 4.2m. It would have a maximum depth of 6.2m. Part of the extension would be recessed from the front elevation

by 0.57m in depth. It would have a part flat roof, part Dutch hipped roof, the latter of which would be physically attached to the existing bungalow. The flat roof would have a height of 2.65m. The Dutch hipped roof would have a ridge height of 5.1m falling to an eaves height of 3.9m.

- 3.3 There would be a door, window and garage style door within the front elevation and 2 roof lights within the front roof slope. There would be a door and window within the rear elevation.
- 3.4 The extension would serve bedroom and a study.
- 3.5 It would be finished in materials to match the existing dwelling.
- 3.6 The proposed development would result in a 4 bedroom dwelling (addition of 1).
- 3.7 During the course of the application Officers raised concerns that the ridge height of the side extension was bulky and appeared high in relation to the existing ridge height of the dwelling. Amended plans were provided which reduced the height of the Dutch hip by 1m.

4 Consultation

4.1 Statutory Consultation

4.1.1 Croxley Green Parish Council: [Objection]

Croxley Green Parish Council object to this application and support the concerns raised by neighbours. CGPC request planning restrictions to prevent the division of the property. If the officer is minded to approve, CGPC does not request that it is called into the TRDC planning committee.

4.1.2 National Grid: [No comment received. Any comments received will be verbally updated at the Committee meeting].

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 13

4.2.2 No of responses received: 5

4.2.3 Summary of responses:

- Overdevelopment;
- Overshadowing/Loss of light;
- Too close to the boundary;
- Overlooking;
- Adverse effect on trees;
- Effect on the value of property;
- Effect on traffic;
- Incorrect plans (shows a two storey not a single storey).

4.2.4 Site Notice: Not required.

4.2.5 Press notice: Not required.

5 Reason for Delay

- 5.1 The application has been extended in time to allow for the review of amended plans and to be heard at the TRDC June Planning Committee.

6 Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

- 6.1.1 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”.

- 6.1.2 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 Croxley Green Neighbourhood Plan Referendum Version (adopted December 2018) is also relevant, specifically Policy CA2 and Appendices B and C. The site is within Character Area 6.

6.3 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.

6.4 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 COVID-19

7.2 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, photographs were provided by the applicant during the course of the application which clearly show the relationship between the dwelling and neighboring sites. 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.

7.3 Impact on Character and Street Scene

7.3.1 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'.

7.3.2 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 Guidelines at Appendix 2 of the Development Management Policies document states that single storey side extensions proximity to the flank boundary will be individually assessed. Additionally, new development should not be excessively prominent in relation to adjacent properties or to the general street scene.

7.4 The Croxley Green Neighbourhood Plan (adopted December 2018) states that new development should seek to conserve and, wherever possible, enhance the key elements of the character and appearance of the Character Areas. The Neighbourhood Plan comments in relation to character area 6 and Winton Crescent that;

"Almost separated from the streets to the south by a band of open spaces and allotments, this large area and Area 7 to the north (both relatively level) are more homogeneous than the rest of the parish, with semi-detached two storey houses dominating, but there are almost complete streets of bungalows as well. Development of the area was commenced at the eastern end in the late 1920s and continued into the 1930s. There is some 1950s social housing at the western end, both terraced and semidetached houses, such as Owens Way. There are also some more recent redevelopments, for instance Cherwell Court, off Dulwich Way, contains a sheltered housing block for the elderly, very rare in the Parish."

"At the eastern end, Winton Drive runs north east from the New Road/Watford Road junction with Springfield Close, Winton Crescent and Claremont Crescent, very early 1930s two storey semi-detached houses set informally around three blocks. Girton Way meanders its way through to the later 1930s development to the west."

7.5 It is acknowledged that a number of concerns have been raised regarding the use of the proposed development. The side extension proposes to provide a bedroom and study which would be internally connected to the existing dwelling and would provide ancillary accommodation. As such, whilst concerns are noted, Officers do not consider that a

condition restricting the use is appropriate. Furthermore, any material change of use would require planning permission.

- 7.6 It should be noted that during the course of the application Officers raised concerns that the proposed Dutch hip was high and bulky and did not relate well to the existing dwelling. It was considered amended plans could overcome these concerns. Amended plans were provided which lowered the Dutch hip by 1m, reducing its overall bulk.
- 7.7 It is acknowledged that the host dwelling is of different character than its immediate neighbours by virtue of its Dutch hip compared with the surrounding two storey-semi-detached dwellings. The proposed side extension would be visible from the wider street of Winton Crescent. Although visible, the extension would not project forward of the existing front elevation and would be set back from the public footpath by 6m. Additionally, the Dutch hip of the extension would be set down from the main ridge line by 2.5m and the extension would further reduce in prominence where it drops down to a flat roof with a height of 2.65m. The extension would have a design reflecting the existing dwelling and would be finished in materials which would match. The roof lights within the roof slope would not harm the character and appearance of the dwelling. Thus, when read in the context of the surrounding dwelling and wider street, the amended extension would not appear unduly prominent or excessive or out of character with the host dwelling or wider street.
- 7.8 It is acknowledged that the footprint of the dwelling would be larger given the increase in width which is greatest to the front due to the splayed site plot. However, given the limited height of the extension and its subordinate nature it is not considered to be overly prominent or excessive in relation to the host dwelling. Whilst increasing the footprint of the dwelling, the extension would largely infill an area between the southern flank wall and the boundary line, where there is currently built form (garage). Also, a rear garden of approximately 165sqm would be retained. Given the size, extent and positioning of the extension, it is not considered to result in overdevelopment within the application site.
- 7.9 In summary, it is considered that the proposed extensions would not result in any adverse impact on the host dwelling or wider streetscene. The development would therefore accord with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1 and Appendix 2 of the Development Management Policies Document (adopted July 2013) and the Croxley Green Neighbourhood Plan (adopted December 2018).
- 7.10 Impact on amenity of neighbours
- 7.11 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels of disposition of privacy, prospect, amenity and garden space'.
- 7.11.1 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.
- 7.11.2 The proposed side extension would have no adverse impact in terms of overlooking or loss of light on neighbour No.4 which is located to the north of the application site.
- 7.11.3 Southern neighbours along Winton Drive (Nos. 104,102, 100, 98) are orientated away from the application site.
- 7.11.4 Neighbours No.104, 102 and 100 would be sited closest to the extension with their rear boundaries along the application sites southern flank boundary line. Although increasing the footprint of the dwelling and built form closest to these neighbours, there is already built form (garage) located along the boundary line which holds a similar size and extent to the proposed flat roof element of the proposal. The Dutch hip would be set off the boundary

line by a minimum of 0.8m and a maximum of 3.8m (due to the splayed boundary line). Furthermore, the proposed development would abut the rear end of these neighbouring gardens, with the dwellings sited some 15m (approx.) away from the southern boundary line with the application site. Additionally, these neighbours are favourably orientated to the south of the proposed development. Given their southerly orientation, these neighbours would not lose any light as a result of the proposed single storey development when considering the orientation of the sun.

7.11.5 The proposed windows and doors at ground floor would primarily overlook the front and rear of the application site and would not give rise to any unacceptable overlooking. Similarly, the roof lights within the front roof slope are of a positioning which would not give rise to any unacceptably overlooking.

7.11.6 The proposed development is not considered to result in any adverse impact upon neighbouring properties and is acceptable in accordance with Policy C12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies document (adopted July 2013).

7.12 Amenity Space Provision for future occupants

7.12.1 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.

7.12.2 The proposal would result in a 4 bedroom dwelling. The application site would benefit from a private amenity space measuring approximately 165sqm. Given that the indicative level for a 4 bedroom dwelling is 105sqm, the rear private amenity space is considered sufficient in size to adequately serve current and future occupiers of the dwelling following the proposed development.

7.13 Wildlife and Biodiversity

7.13.1 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.

7.13.2 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.

7.13.3 The application has been submitted with a Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected as a result of the application. The Local Planning Authority is not aware of any records of bats (or other protected species) within the immediate area that would necessitate further surveying work being undertaken.

7.14 Trees and Landscaping

7.14.1 Policy DM6 of the Development Management Policies LDD states that development proposals should seek to retain trees and other important landscape and nature conservation features whilst including new trees and other planting to enhance the landscape of the site and its surroundings as appropriate. It also states 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 Standards and that development should be designed in such a way as to allow trees and hedgerows to grow to maturity without causing undue problems of visibility, shading or damage.

7.14.2 The application site does not contain any TPOS nor is it afforded protection via a Conservation Area. No trees would be affected as a result of the development.

7.15 Highways, Access and Parking

7.15.1 Core Strategy Policy CP10 (adopted October 2011) requires development to make adequate provision for all users, including car parking. Policy DM13 in the Development Management Policies document (adopted July 2013) states that development should make provision for parking in accordance with the Parking Standards set out within Appendix 5.

7.15.2 The extended dwelling is shown to accommodate 4 bedrooms. As a result, having regard to the parking standards as set out within Appendix 5 of the Development Management Policies LDD it states that for a 4 or more bedroom dwelling 3 spaces are required. The submitted details indicates that the existing driveway could accommodate 2 parking spaces. Therefore, there would be a shortfall of 1 parking space. However, the application site contains a front garden space which could be used for additional parking in the future if required. The provision of surface level hardstanding would not require planning permission subject to provision for surface water run-off within the site. The sites proximity to local transport links is also noted. It is not considered that the shortfall of 1 space would result in harm justifying the refusal of planning permission.

8 **Recommendation**

8.1 That PLANNING PERMISSION BE GRANTED subject to the following conditions:

C1 The development hereby permitted that have not yet been carried out shall be begun before the expiration of 3 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: 0412/5 B; 0412/4 B; 0412/3 A; TRDC 001 (Location Plan); 0412/1; 0412/2; 0412/6.

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 and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013) and the Croxley Green Neighbourhood Plan (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 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).

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. 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.