

PLANNING COMMITTEE – 16 DECEMBER 2021

PART I - DELEGATED

- 13. 21/2383/FUL - Single storey side and rear extension, insertion of new rooflights, smooth white render, alterations to front door and external patio works at 90 KENILWORTH DRIVE, CROXLEY GREEN, WD3 3NW**

Parish: Croxley Green Parish Council
Expiry of Statutory Period: 07.12.2021
Extension of time: 23.12.2021

Ward: Durrants
Case Officer: David Heighton

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: The applicant is an employee of the Council.

1 Relevant Planning History

- 1.1 16/1482/FUL: Single storey side and rear extension and new front porch - Permitted, not implemented

2 Description of Application Site

- 2.1 The application site contains a semi-detached chalet bungalow with accommodation provided within the gabled roofspace which is also served by dormer windows to the front and rear roofslopes. The dwelling has an 'L' shape footprint with a single storey front projection along the eastern elevation. The dwelling is set in from the eastern boundary. A detached garage is sited to the rear of the dwelling which is constructed close to the eastern boundary. The site contains a generous garden to the rear and the frontage consists of hardstanding that can accommodate three cars.
- 2.2 The neighbouring dwelling to the west (No.92) is the adjoining semi. No.92 has a single storey rear extension which projects beyond the rear elevation of the application dwelling. The neighbouring property to the east (No.88) is set in from the common boundary and has a single storey rear extension which extends beyond the rear elevation of the application dwelling. No.88 also has a single storey structure which is constructed close to the common boundary with the application site. No.88 is set on lower ground.

3 Description of Proposed Development

- 3.1 This application seeks full planning permission for a single storey side and rear extension, insertion of new rooflights, smooth white render, alterations to front door and external patio works.
- 3.2 The proposed single storey rear/side extension would have a depth of 3.14m from the existing rear elevation with a total width of 9.5m. The extension would have a flat roof form with a height of 2.9m. A raised roof lantern is proposed within the flat roof of the extension, increasing the maximum height to 3.4m. The side element of the extension would have a depth of 10.5m, width of 1.6m at the front and would be set in 1m from the eastern flank boundary. It would have a hipped roof form with an eaves height of 2.8m and a maximum height of 4.3m. A single window is proposed within the front elevation, with three single windows to the eastern flank at ground floor level, two of which would be obscurely glazed. Bi-folding doors, a door and a single window are proposed within the rear elevation of the extension.
- 3.3 Two rooflights would be inserted, one within the front roofslope serving first floor accommodation and one within the single storey side extension hipped roof.

- 3.4 The existing external pebbledash render to all elevations would be replaced with a smooth white render.
- 3.5 The existing front door would be replaced and two steps would be inserted adjacent to the rear elevation to the existing patio.
- 3.6 Amended plans were received during the course of the application, which retained the red brick to the front and flanks of the property at ground floor level, clarified the steps to the rear of the property and clarified the proposed glazing to the eastern flank.

4 Consultation

4.1 Statutory Consultation

4.1.1 Croxley Green Parish Council: [Noted]

Croxley Green Parish Council note the comments from the neighbours and supports them. CGPC note the loss of brickwork under the bay and by the front door. Building work should be restricted to permitted building hours.

4.1.2 National Grid: [No comments received, any comments received will be verbally updated]

4.2 Public/Neighbour Consultation:

4.2.1 Number consulted: 4 No of responses received: 1

4.2.2 Site Notice: Posted 16.10.2021 - Expired: 06.11.2021

Press Notice: Not applicable.

4.2.3 Summary of Responses: 1 – (Objection)

- Hassle of building works - noise, dust and parking of construction vehicles
- Increase distance to boundary for maintenance purposes

Officer comment: Any construction works to any approved application and the position of the rear extension in relation to maintenance purposes are not material planning considerations. However, an informative would be added to any approval concerning hours of construction as well as informing the applicant that the requirements of the Party Wall Act may need to be satisfied. All material planning considerations are outlined within the relevant analysis section below.

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

6.1.1 In July 2021 the revised 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 2021 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 Three Rivers Local Plan

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

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP9, CP10, CP11 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 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.

The Croxley Green Neighbourhood Plan Referendum Version was adopted in December 2018. Relevant policies include: Policy CA2 and Appendices B and C are relevant.

7 Planning Analysis

7.1 Impact on Character and Streetscene

- 7.1.1 Policy CP12 of the Core Strategy (adopted October 2011) relates to the Design of Development and states that the Council will expect all development proposals to have regard to the local context and conserve or enhance the character, amenities and quality of an area.
- 7.1.2 Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) set out that development should not have a significant impact on the visual amenities of the area. With specific regard to the proposed development, the Design Criteria at Appendix 2 of the DMP LDD sets out that single storey rear extensions to semi-detached dwellings should generally not exceed 3.6m in depth.
- 7.1.3 Policy CA2 of The Croxley Green Neighbourhood Plan requires that domestic extensions should seek to conserve and enhance the character of the area through the 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. The application site is located within Character Area 7 from Appendix B of the Croxley Green Neighbourhood Plan

Referendum Version (adopted December 2018). "Area 7 is a large district and more homogeneous than the rest of the parish with 1930s two storey semi-detached houses dominating in the southern part and extensive frontages of 1930s bungalows" It is noted that this character area has a dominance of yellow and red brick and render on elevations. Policy C also states the proposal should address its visual impact on the streetscape. In the case of semi-detached houses a side extension should take account of the effect on the streetscene of a lop-sided extension.

- 7.1.4 The single-storey side extension would have a deep flank elevation and given the spacing between the host dwelling and No.88 there would be oblique views of the extension visible from the streetscene. It is however considered that the proposed scale and hipped roof form of the extension would ensure that it would not appear unduly prominent or out of character with the dwelling or the streetscene. The proposed side extension would not project forward from the existing front elevation and would not be excessive in width. The proposal would close the space between the dwelling and flank boundary, however, would be at single storey level only with a hipped roof design and would maintain a sense of openness between the dwelling and flank boundary. As such, it is not considered that single storey rear/side extension would be out of character or disproportionate to the host dwelling. The single storey rear element of the extension would be located to the rear of the property such that views from the streetscene of Kenilworth Drive would be obscured by the arrangement of the dwellings. In terms of the proposed design and scale of the extension, at 3.14m in depth from the rear wall the proposed extension it would not project an unreasonable distance beyond the rear elevation of the dwelling and would therefore comply with the guidance depth of 3.6m. The extension would be single storey only and would comprise of a flat roof, thereby reducing its bulk. Similarly, the rear raised roof lantern proposed would not adversely affect the character of the dwelling. As such, the extension would not result in a prominent or incongruous feature to the host dwelling.
- 7.1.5 There are a number of examples of rooflights on visible roofslopes within the vicinity and it is not considered that the rooflight proposed would be visually prominent or result in harm to the host dwelling and streetscene in this regard. Similarly the proposed front fenestration alterations would not result in any harm and would not create a notable feature within the street scene.
- 7.1.6 The existing external appearance of the application dwelling is currently red brick, white painted pebbledash and pebbledash render. The existing red brick feature to the front and flanks of the property would be retained at ground floor level. The pebbledash render is proposed to be removed and replaced with a smooth white render finish. Whilst it is noted that the external appearance of the semi-detached pair would be altered, the proposed smooth render would not significantly alter the external appearance of the house and thus would be acceptable. It is not considered that the proposed external materials would detract from the general character and appearance of the dwelling and would maintain the consistency in appearance within the wider streetscene, given the alterations to the external finish of other properties within the streetscene and the surrounding area.
- 7.1.7 The proposed rear patio given its scale and siting to the rear would not result in any harm to the character and appearance of the host dwelling, wider streetscene nor result in any harm to the character and appearance of the wider surrounding area.
- 7.1.8 The proposed development would therefore not result in unduly prominent additions 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 and Policy CA2 and Appendices B and C of the Croxley Green Neighbourhood Plan Referendum Version (adopted Dec 2018).

7.2 Impact on amenity of neighbours

- 7.2.1 Policy CP12 of the Core Strategy advises that development will be expected 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 set out that development should not result in loss of light to the windows of neighbouring properties not allow overlooking, and should not be excessively prominent in relation to adjacent properties.
- 7.2.2 The proposed side extension would be constructed close to the common boundary with No.88, however, would be set in at least 1m. The proposal would have a relative long flank elevation, however, it would be set back 3.4m from the front elevation of the dwelling and would project 3.14m beyond the rear elevation. No.88 has a single storey rear extension which extends beyond the rear elevation of the application dwelling they also have a single storey side projection that is sited close to the common boundary. No.88 has windows in the flank elevation facing the application site, however the proposed extension would be single storey only and would not be excessive in height. As such, it is not considered that the proposed side and rear extension would result in any unacceptable loss of light or harm to the visual amenities of No.88.
- 7.2.3 No.92 has the same original building line as the application dwelling and has a single storey rear extension, which is constructed close to the common boundary. The proposed rear extension would have a depth of 3.14m which complies with the 3.6m maximum guideline for rear extensions as set out in the Design Criteria. The proposed depth and height of the proposed extension would not result in any unacceptable loss of light or harm to the visual amenities of No.92. The proposed raised roof lantern to the rear extension would be located towards No. 92, however, would be set in over 1m from the flank boundary; as such, it is considered there would be no harm to either adjacent neighbour and it would not facilitate overlooking to any neighbouring dwellings.
- 7.2.4 The proposal would include two steps down to the existing rear patio. The steps would abut the rear elevation of the new rear extension, extending in depth to 1.8m. Given that the patio would remain at ground level and not raised it is not considered that the proposed external patio works would result in any overlooking.
- 7.2.5 The fenestration to be inserted within the rear elevation of the extension would not result in unacceptable overlooking of the surrounding neighbouring properties. Three windows would be inserted within the eastern elevation at ground floor level, two of which are indicated would be obscurely glazed and top level opening only, serving a bathroom and an utility room. A further window is proposed to the eastern flank, which would serve a study/spare bedroom. This window would be cleared glazed and would not result in overlooking, given the existing 2m high close-bordered timber boundary treatment adjacent to the neighbour at No.88. A rooflight would be proposed with the eastern flank roofslope and would be high level and not result in any overlooking. As such, the proposal would not result in any overlooking of the surrounding neighbouring properties.
- 7.2.6 The proposed glazing proposed in the front elevation of the side extension and the proposed new entrance would face directly towards the highway of Kenilworth Drive. The glazing proposed would not be any further forward than the existing dwelling with similar views available from existing windows. There would be no significant impact to neighbours opposite the site given the separation by the highway.
- 7.2.7 In summary, the proposed development would not result in any adverse impact on the residential amenity of any neighbouring dwelling 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.
- 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 and section 3 (Amenity Space) of Appendix 2 of the Development Management Policies document states that a four bedroom dwelling should provide 105sqm amenity space.

7.3.2 The proposed extension and alterations would result in the addition of a bedroom. There is however, over 260sqm of rear amenity space, which is considered sufficient to accommodate the proposed development and serve the dwellinghouse.

7.4 Trees and Landscaping

7.4.1 Policy CP12 of the Core Strategy expects development proposals to 'have regard to the character, amenities and quality of an area', to 'conserve and enhance natural and heritage assets' and to 'ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features'.

7.4.2 Policy DM6 of the Development Management Policies document 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.

7.4.3 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.

7.5 Highways, Access and Parking

7.5.1 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 and advise that a four or more bedroom dwelling should provide parking for three vehicles.

7.5.2 Notwithstanding the loss of access and use of the garage outbuilding, the hardstanding to the front of the dwelling would have provision for at least three vehicles. Therefore, the parking provision within the application site would be considered sufficient following implementation of the proposed development.

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 states that no protected species or biodiversity interests will be affected as a result of the application.

8 **Recommendation**

That PLANNING PERMISSION BE GRANTED subject to the following conditions:

8.1 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: 212017-D-01, 212017-D-02, 212017-D-03, 212017-D-04, 212017-D-05-B, 212017-D-06-B, 212017-D-07-B, 212017-D-08-D, 212017-D-09-B, 212017-D-10-C, 212017-D-11-D

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 LDD (adopted July 2013) and Policy CA2 and Appendices B and C of the Croxley Green Neighbourhood Plan Referendum Version (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, 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:

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