

**9. 19/0851/FUL – Single storey rear extension, two storey rear extension, single storey side and front extension and front porch infill extension at 33 YORKE ROAD, CROXLEY GREEN, WD3 3DW**

Parish: Croxley Green

Ward: Dickinsons

Expiry of Statutory Period: 04.07.2019

Case Officer: Tom Norris

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: Called to Committee by Croxley Green Parish Council should officers be minded to approve.

**1 Relevant Planning and Enforcement History**

- 1.1 19/0643/CLPD - Certificate of Lawfulness for Proposed Development: Loft conversion including hip-to-Dutch-hip roof extension and insertion of rear dormer window and insertion of rooflights to front roofslope - 24.05.2019 - Permitted

**2 Description of Application Site**

- 2.1 The application site consists of a semi-detached dwelling located on Yorke Road, Croxley Green. Yorke Road is a residential street characterised by semi-detached dwellings of a variety of design and exterior finish, many of which have been extended.
- 2.2 The application dwelling has a dark tiled, hipped roof form with a cat-slide roof to the front featuring a dormer and facing brick, hung tile and white painted pebbledash exterior. The dwelling contains an existing two-storey rear projection which is built in line with the unattached flank which has a width of 3.3m and extends 2.8m in depth.
- 2.3 To the front of the dwelling is a gravel driveway large enough to accommodate two cars. There is also a section of lawn forming a front garden.
- 2.4 The attached neighbouring property mirrors the style of the application dwelling. The unattached property is a semi-detached dwelling of different architectural design and finish.

**3 Description of Proposed Development**

- 3.1 This application seeks full planning permission for a single-storey rear extension, a two-storey rear extension, a single-storey side extension and a front porch infill extension.
- 3.2 The proposed single-storey side extension would have a principal width of 2.6m from the unattached flank elevation. The extension would be built along the full 9.0m depth of the principal flank elevation, protruding a further 0.8m beyond the principal front elevation. The extension would have a predominantly flat roof with an overall height of 3.2m however to the front it would have a dummy-pitch with an overall height of 4.0m.
- 3.3 The proposed single-storey rear extension would have a depth of 5.5m from the principal rear elevation of the property. The extension would be built across the full 7.8m width of the principal rear elevation and would have a flat roof with a height of 3.2m. Two sets of bi-fold doors would be inserted in the rear elevation and a roof lantern.
- 3.4 The proposed two-storey rear extension would have a depth of 4.0m from the principal rear elevation of the property. The extension would be built in line with the unattached flank elevation and would have a width of 4.1m. The extension would have a hipped roof with an eaves height to match the existing dwelling and an overall height of 7.6m. A window would be inserted in the rear elevation.
- 3.5 The proposed front porch infill extension would infill the space under the existing front porch and would have an additional depth of 0.3m forward of existing.

- 3.6 The proposed development would be finished in materials to match that of the existing dwelling.
- 3.7 During the course of the application, amended plans were received which removed reference to the loft conversion approved under permitted development application 19/0643/CLPD.

## **4 Consultation**

### **4.1 Statutory Consultation**

- 4.1.1 National Grid: [No response received]
- 4.1.2 Croxley Green Parish Council: [Objection]

*“CGPC objects to the proposal for the following reasons:*

*The proposal does not comply with policies CA2 & CA3 of the Croxley Green Neighbourhood Plan. CGPC believe that the proposal is out of keeping with the character and scale of the immediate environment.*

*If the officer is minded to approve the application then CGPC wish for it to be discussed by the TRDC planning committee.”*

### **4.2 Public/Neighbour Consultation**

- 4.2.1 Neighbours consulted: 17
- 4.2.2 Responses received: 0
- 4.2.3 Site Notice posted: 05.06.2019, expiry date: 26.06.2019
- 4.2.4 Press notice not required.

## **5 Reason for Delay**

- 5.1 None.

## **6 Relevant Planning Policy, Guidance and Legislation**

### **6.1 National Planning Policy Framework and National Planning Practice Guidance**

In February 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 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, DM9, DM13 and Appendices 2 and 5.

## 6.3 Other

The Croxley Green Neighbourhood Plan Referendum Version was adopted in December 2019. The neighbourhood plan seeks to protect the character and appearance of the area, and requires extensions to be well designed. Relevant policies include CA2 and Appendices B & C.

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 Appearance

- 7.1.1 Insert 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 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.
- 7.1.2 Policy DM1 and Appendix 2 of the Development Management Policies LDD (DMP LDD) (adopted July 2013) 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 Criteria at Appendix 2 states that 3.6m is the depth generally considered acceptable for single-storey extensions to semi-detached properties.
- 7.1.3 Policy CA2 states that domestic extensions requiring planning consent should seek to conserve and enhance the 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.
- 7.1.4 The single-storey rear and two-storey rear extension would be located to the rear of the property such that views from the streetscene of Yorke Road would be obscured by the

arrangement of the dwellings. Some oblique views of the two-storey element may be available from the public realm. The single-storey side extension and front porch extension would be readily visible.

- 7.1.5 In terms of the proposed design and scale of the single-storey rear extension, whilst it would exceed the guidance depth of 3.6m, given the scale of the host dwelling, it is not considered that it would be out of character or disproportionate. Similarly it is not considered that the two-storey rear extension would appear out of character as it would largely replace an existing two-storey extension of slightly smaller scale. The single-storey side extension would formalise an existing lean-to type side projection of similar scale and as a result is not considered to result in any harm to the dwelling. The new roof to the frontage is considered to be more in keeping with the dwelling. The front porch extension would be of minimal scale such that it is not considered that harm would arise to the host dwelling.
- 7.1.6 Whilst the proposed development would increase the scale of the dwelling, cumulatively considered, the proposed extensions would not be disproportionate to the host dwelling nor would detract from its character and appearance.
- 7.1.7 In summary it is not considered that the proposed development would result in an adverse impact on the character or appearance of the host dwelling, street scene or area and the proposal would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies document and Policy CA2 and Appendices B & C of The Croxley Green Neighbourhood Plan (December 2018).

## 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 loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.
- 7.2.2 The extension would be 5.5m deep, measured from the rear elevation of the original dwelling and would be built up to the shared boundary with the attached neighbour. Although this would exceed the guidance depth of 3.6m for single storey rear extensions set out in the Design Criteria, it is factored into consideration that the attached neighbour has implemented a single storey rear extension of some 2.5m in depth. As such the proposals would extend beyond the rear elevation of this neighbour by some 3.0m. Given that the Council's adopted planning policy sets out that 3.6m is generally the depth considered acceptable, although it would effectively be 'leapfrogging' the attached neighbour, it is considered that the harm arising from the proposed development would not be so significant to justify the refusal of planning permission. The proposed single-storey extension would be positioned some 2.5m from the shared boundary with the unattached neighbour. Therefore whilst it would exceed the depth set out in the design criteria, given the ample set off from the boundary, it is considered that harm arising from the single-storey extension would be nil. It is not considered that the glazing proposed in the rear elevation of the extension at ground floor level would give rise to unacceptable levels of overlooking to any neighbour.
- 7.2.3 The two-storey rear extension would be built in line with the unattached flank elevation and would have a width of 4.1m and depth of 4.0m. The extension would not intrude the 45 degree splay line taken from a point on the shared boundary with the attached neighbour. It is not considered that the proposal would lead to a detrimental loss of light to this neighbour or, given the set off from the boundary, lead to an overbearing impact. Taken from a point on the shared boundary with the attached neighbour, the two-storey rear extension would represent a slight intrusion of the 45 degree splay line of some 1.0m. It is

however considered that, given the 2.5m spacing between the application dwelling and the boundary and the presence of an existing two-storey rear projection, the proposal would not lead to a detrimental loss of light to this neighbour or lead to an overbearing impact.

- 7.2.4 The single-storey side extension would not extend beyond the rear elevation however would protrude some 0.9m forward of the front elevation. It would also largely replace an existing structure of a similar scale. It is not considered that the single-storey side extension by virtue of its scale, including height, would result in harm to any neighbour.
- 7.2.5 It is not considered that the proposed front porch infill extension would result in harm to any neighbour to any degree.
- 7.2.6 In summary, the proposed development would not result in any significant adverse impact on the residential amenity of any neighbouring dwelling so as to justify refusal of the application and the development would therefore be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

### 7.3 Highways & Parking

- 7.3.1 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.
- 7.3.2 The proposed development would not increase the number of bedrooms within the property therefore the parking provision will remain unaltered. The dwelling is considered to provide ample parking in any instance including driveway spaces and garages to the rear.

### 7.4 Rear Garden Amenity Space

- 7.4.1 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.
- 7.4.2 The dwelling would retain a garden of approximately 450sqm and as such would be acceptable in this regard

### 7.5 Trees & Landscape

- 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 require the removal of any trees nor is considered to result in any harm to others.

### 7.6 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. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.
- 7.6.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy

requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application. 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.

## **8 Recommendation**

8.1 That PERMISSION BE GRANTED subject to the following conditions:

### 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: MCVEIGH/001, MCVEIGH/002/FP, MCVEIGH/003/PD, MCVEIGH/004/PD, MCVEIGH/005/PD, MCVEIGH/006/FP, MCVEIGH/007/FP, MCVEIGH/008/FP, MCVEIGH/010/FP

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the locality and the residential amenity of neighbouring occupiers, in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and Policy CA2 and Appendices B & C of The Croxley Green Neighbourhood Plan (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 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).

### 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](mailto: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](http://www.hertfordshirebc.co.uk).

Community Infrastructure Levy (CIL) - If your development is liable for CIL payments, it is a requirement under Regulation 67 (1) 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 development maintains/improves the economic, social and environmental conditions of the District.
- 14 The applicant should note that it may not be possible to implement 19/0643/CLPD and this consent.