**11. 17/0661/FUL – Loft conversion including hip to gable extension and insertion of front and rear dormers and front rooflight at 35 Bateman Road, Croxley Green, WD3 3BL for Mrs J Scott.**

◼(DCES)

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| Parish: Croxley Green Parish Council  | Ward: Dickinsons |
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| Expiry Statutory Period: 05 June 2017 | Officer: Lauren Edwards |
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| Recommendation: That planning permission is granted subject to conditions. |
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| Reason for consideration by the Committee: The applicant is an employee of the council.  |

1 **Relevant Planning History**

* 1. 05/1536/FUL- Single storey side and rear extension- Permitted and implemented.

2. **Detailed Description of Application Site**

2.1 The application site is roughly rectangular in shape and is located on the south western side of Bateman Road.

2.2 The application dwelling is a two storey semi-detached property with a white painted exterior. The application dwelling has an existing wrap around single storey side and rear extension with a beige pebble dash exterior.

2.3 To the front of the application site is a paved driveway. To the rear is a patio area which steps down on to an area laid as lawn.

2.4 The adjoining neighbour at No.36 is a semi-detached property built of a brown brick with white painted features. This neighbour also has a single storey side and rear extension which mirrors that at the application dwelling. No.36 has undertaken a hip to gable roof enlargement which is served by front and rear dormer windows with pitched roofs.

2.5 The neighbour at No.38 is a semi-detached property with a beige pebble dash to the exterior. This neighbour has undertaken a loft conversion including a hip to gable roof enlargement served by a front dormer window with a pitched roof and a flat roofed rear dormer window. In addition to this there is an existing single storey side and rear extension which projects in line with that of the application dwelling. This neighbour is sited on a slightly lower land level with a similar front building line to the application dwelling.

3. **Detailed Description of Proposed Development**

3.1 Full planning permission is sought for a loft conversion including hip to gable extension and insertion of front and rear dormers and a front rooflight

3.2 The proposed hip to gable extension would have a width of 5m resulting in a gable in line with the existing south flank elevation.

3.3 The proposed front dormer window would have a depth of 2.1m, width of 1.5m, maximum height of 2.2m, eaves of 1.3m with a pitched roof form.

3.4 A front rooflight is also proposed within the front roofslope.

3.5 The proposed rear dormer would have a width of 4m, height of 2.1m and a depth of 2.8m.

3.6 A single casement window would also be inserted within the flank elevation at second floor level.

4. **Consultation**

4.1 National Grid

 No comments received.

4.2 Croxley Green Parish Council

 No grounds for objections.

4.3 ***Neighbourhood***

4.3.1 Number consulted: 5

 Number of responses: 0

4.3.2 Site Notice: Posted 03.05.2017 and expires 24.05.2017

4.3.3 Press Notice not required.

5. **Reason for Delay**

5.1 Not applicable.

6. **Relevant Local Planning Policies:**

6.1 National Planning Policy Framework (NPPF)

6.1.1 On 27 March 2012, the framework of government guidance in the form of Planning Policy Statements and Planning Policy Guidance Notes was replaced by the National Planning Policy Framework (NPPF). The adopted policies of Three Rivers District Council reflect the content of the NPPF.

6.2 The Three Rivers Local Plan Core Strategy:

6.2.1 The Core Strategy was adopted by the Council on 17 October 2011. Relevant Policies include: CP1, CP8, CP9, CP10 and CP12.

6.3 Development Management Policies LDD:

6.3.1 The Development Management Policies LDD was adopted on 26 July 2013 having been through a full public participation process and Examination in Public. Relevant policies include: DM1, DM6 and DM13 and Appendices 2 and 5.

6.3.2 The following Acts and legislation are also relevant: The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 Habitat Regulations 1994, the Localism Act 2011 and the Growth and Infrastructure Act 2013.

6.3.3 The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

7. **Analysis**

7.1 Design & Impact on Streetscene

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 Policies CP3 and CP12 of the Core Strategy set out that development should make efficient use of land but should also *‘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 new residential development should not be excessively prominent in relation to the general streetscene and should respect the character of the streetscene, particularly with regard to the spacing of properties, roof form, positioning and style of windows and doors and materials.

7.1.3 In relation to roofs, the Design Guidelines at Appendix 2 of the Development Management Policies document sets out that Hip to Gable extensions are generally discouraged in the case of semi-detached houses as it is considered that this unbalances the pair and results in a loss of symmetry. In some cases, roof forms in a street may be uniform and therefore this type of alteration may erode the group value of the street and will not be supported by the Council.

7.1.4 The adjoining neighbour at No.36 has undertaken a hip to gable roof enlargement and as such the proposed development would rebalance the pair. Therefore it is not considered that the proposed development would result in any loss of symmetry or result in detriment to the character of the mixed streetscene of Bateman Road.

7.1.5 With regards to the proposed rear dormer window Appendix 2 of the DMP LDD outlines that dormer windows should always be subordinate to the main roof and should respect the character of the house if possible. Given its siting to the rear, the proposed rear dormer would not be readily visible from the streetscene of Bateman Road. Given that it would be set in from all planes of the roofslope it would appear subordinate and as other neighbouring properties within Bateman Road have constructed rear dormer windows it is not considered that it would appear unduly prominent or excessive within the streetscene so as to result in harm to its character.

7.1.6 Appendix 2 of the DMP LDD sets out that front dormers may not always be appropriate within the streetscene.

7.1.7 The proposed front dormer window would be readily visible from the streetscene of Bateman Road. However given that it would be set in from all planes of the roofslope, appearing subordinate in relation to the main roof and that other properties within Bateman Road have front dormer windows it is not considered that it would appear unduly prominent or incongruous so as to result in harm to the character of the streetscene

7.1.8 In summary, subject to the use of materials to match, it is not considered that the proposed development would result in any significant adverse impact on the character or appearance of the host dwelling, streetscene or area and the development would be acceptable in this regard in accordance with policies CP1 and CP12 of the Core Strategy in addition to Policy DM1 and Appendix 2 of the DMP LDD.

7.2 Impact on 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 The proposed rear dormer would be set in 0.5m from the boundary with the neighbour at No.36 and would be set back from the eaves by 1.3m and down from the main ridge by 0.9m. Given this and that No.36 also has a rear dormer window it is not considered that it would result in unacceptable loss of light or an overbearing impact to this neighbour.

7.2.3 The proposed gable end would be closer to the boundary with No.34, however, given the separation between the dwellings and that this neighbour has also undertaken a hip to gable roof extension it is not considered that the formation of the gable end would result in demonstrable harm to neighbouring residential amenity through overshadowing or loss of light.

7.2.4 The proposed rear dormer would be set in 0.5m from the flank facing No.34. Given its siting off the boundary, that it is set in from all planes of the roof slope and that this neighbour also has a flat roofed rear dormer window, it is not considered that it would result in unacceptable loss of light or overbearing impact to this neighbour.

7.2.5 The proposed front dormer window would be set in 2.3m from the boundary with the neighbour at No.36 and 1.2m from the flank facing No.34. Given that it would be set in from all planes of the roofslope and that both neighbours have also constructed front dormer windows it is not considered that this element would result in unacceptable loss of light or have an overbearing impact.

7.2.6 The proposed front rooflight and dormer window would look on to the highway of Bateman Road. Given the distance from the neighbouring properties opposite of approximately 24m across the highway it is not considered that these elements of the proposed development would result in unacceptable overlooking.

7.2.7 The proposed rear dormer window would look on to the application site rear garden. Given this and that there are no immediate neighbours to the rear it is not considered that it would result in unacceptable overlooking to neighbouring amenity.

7.2.8 Given its siting, the proposed second floor window within the flank elevation would face No.34 and it is considered appropriate that a condition should be added to any permission granted to require this window to be obscure glazed and top level opening in order to prevent unacceptable overlooking to No.34.

7.2.9 In summary it is not considered that the proposed development would result in demonstrable harm to neighbouring amenity and as such complies with Policy CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the DMP LDD in this respect.

7.3 Highway and Parking considerations:

7.3.1 Policy DM13 of the Development Management Policies LDD requires developments to ensure that sufficient parking is provided in accordance with the parking standards set out at Appendix 5. The parking standards state that a three bedroom dwelling should have 2 assigned spaces and a four bedroom dwelling should have a total of 3 assigned spaces.

7.3.2 The proposed development would result in the addition of one bedroom taking the application dwelling from three to four bedrooms. The hardstanding to the front could easily accommodate two cars but would not be wide enough to be practical for three cars. However there are on street parking bays available within Bateman Road and the application site is within walking distance of local bus services along Watford Road. As such it is not considered that the proposed development would result in unacceptable harm in this respect so as to justify the refusal of planning permission.

7.4 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. Specific standards for amenity space are set out in Appendix 2 of the Development Management Policies LDD with the minimum amenity space for a four bed dwelling is 105sqm.

7.4.2 The application site would retain approximately 190sqm of amenity space and as such would comply with Appendix 2 of the DMP LDD in this respect.

7.5 Trees:

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 application site is not within a Conservation Area nor are there any trees protected by a Tree Preservation Order on or near the site. Therefore the development would not result in the loss or harm to any protected trees.

7.6 Biodiversity Checklist:

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 the site is not in or located adjacent to a designated wildlife site. The Local Planning Authority is not aware of any records of protected species within the immediate area that would necessitate further surveying work being undertaken. However, given that the works would affect the roof, an informative would advise the applicant what to do should bats be discovered during the course of the development.

8. **Recommendation**

8.1 **That subject to no new material planning considerations being raised, PLANNING 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: TRDC 001 (Location plan), TRDC 002 (Block plan), 1708/01 Rev A, 1708-02 Rev C

Reason: For the avoidance of doubt, in the proper interests of planning and 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).

**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).

**C4** Before the first occupation of the building/extension hereby permitted the window in the south eastern side elevation at second floor level shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window shall be permanently retained in that condition thereafter.

Reason: To safeguard the amenities of the occupiers of neighbouring residential 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).

9.2 **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 £97 per request (or £28 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. The Council's Building Control section can be contacted on telephone number 01923 727132 or at www.threerivers.gov.uk for more information and application forms.

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. Information on this is also available from the Council's Building Control section. 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.

**I2** The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

**I3** 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.

**I4** Bats are protected under domestic and European legislation where, in summary, it is an offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in a roost or deliberately disturb a bat in a way that would impair its ability to survive, breed or rear young, hibernate or migrate, or significantly affect its local distribution or abundance; damage or destroy a bat roost; possess or advertise/sell/exchange a bat; and intentionally or recklessly obstruct access to a bat roost.

If bats are found all works must stop immediately and advice sought as to how to proceed from either of the following organisations:

The UK Bat Helpline: 0845 1300 228

Natural England: 0845 6014523

Herts & Middlesex Bat Group: www.hmbg.org.uk

(As an alternative to proceeding with caution, the applicant may wish to commission an ecological consultant before works start to determine whether or not bats are present. A list of bat consultants can be obtained from Hertfordshire Ecology on 01992 555220).