**13. 17/2519/RSP – Single storey rear extension; alterations to fenestration and removal of chimney stack to rear and alterations to front garden to provide parking at 16 HASTINGS WAY, CROXLEY GREEN, WD3 5SG, for Mrs A Clulow**

◼(DCES)

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| Parish: Croxley Green Parish Council  | Ward: Durrants  |
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| Expiry Statutory Period: 30 January 2018 | Officer: Melissa Turney |
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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 was an employee of the Council.  |

1 **Relevant Planning History**

* 1. No relevant planning history.

2. **Detailed Description of Application Site**

2.1 The application site is roughly rectangular in shape and is located on the north side of Hastings Way.

2.2 The application dwelling is a two storey semi-detached property with a pebble dash exterior. To the front of the application site is a retaining wall and an area of hardstanding. There is a shared drive way with the neighbour to the west. To the rear is a, patio area and area laid as lawn approximately 200sqm.

2.3 The adjoining neighbour to the east no.14 Hastings Way is a semi-detached property finished in pebble dash exterior. This neighbour is built on the same building line however is at a lower land level than the application dwelling. This neighbour has a single storey rear extension.

2.4 The neighbour to west no.18 Hastings Way is a semi-detached property also finished in pebble dash to the exterior. This neighbour is sited on a higher land level with a similar front building line to the application dwelling. This neighbour has an existing single rear extension set off the boundary.

3. **Detailed Description of Proposed Development**

3.1 Part retrospective planning permission is sought for a single storey rear extension; alterations to fenestration and removal of chimney stack to rear and alterations to front garden to provide parking. The garage has already been removed and works to the front drive away have started.

3.2 The proposed single storey rear extension would have a depth of 5.6m, a width of 5.8m with a flat roof and a maximum height of 3m. There would be bi-fold doors to the rear and four roof lights.

3.3 Alterations to the fenestrations include two new windows in the existing western ground floor flank to serve a wc and utility room. These are shown to be obscured glazed and top level opening.

3.4 The existing rear chimney stack is proposed to be removed.

3.5 Alternations to the front garden to provide parking for two cars is also proposed.

4. **Consultation**

4.1 National Grid

 No comments received.

4.2 Croxley Green Parish Council

No grounds for objection subject to permitted development rights. There were no dimensions of the plan included with the application.

4.3 ***Neighbourhood***

4.3.1 Number consulted: 6

 Number of responses: 0

4.3.2 Site Notice not required.

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 Policy 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.’*

7.1.3 Policy DM1 and Appendix 2 of the Development Management Policies document set out that extensions should not have a significant impact on the visual amenities of an 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. Single storey side extensions will be individually assessed in terms of their proximity to the flank boundary. Single storey rear extensions to semi-dwellings should generally have a maximum depth of 3.6m.

7.1.4 The extension would have a depth 5.6m which would exceed the 3.6m guideline depth set out in the Design Criteria at Appendix 2 of the Development Management Policies document. However the extension would be to the rear of the dwelling and would not be readily apparent from the street scene of Hastings Way. Some neighbouring dwellings in Hastings Way have implemented similar or larger structures to the proposed extension. The garden of approximately 30m in depth would be retained to the rear. The development would therefore appear subordinate to the host dwelling and it is not considered that it would appear disproportionate to the host dwelling or site so as to cause harm to the character of the area.

7.1.5 The fenestration proposed includes additional glazing at ground floor level on the western flank of the existing dwelling. It is not considered that the glazing proposed is excessive and it would not appear harmful to the detriment of the character and appearance of the host dwelling or the streetscene.

7.1.6 There are two chimneys in the roofslope. It is proposed that the rear chimney is to be removed. Chimneys are a feature of many properties within immediate vicinity however given it is to the rear of the dwelling and is not visible from the streetscene the loss of the chimney is considered acceptable.

7.1.7 The alteration to the front garden would include an area of hardstanding and soft landscaping with a retaining wall to the frontage. Given the variation within the streetscene of Hastings Way it is not considered that the development would result in any adverse impact on the character or appearance of the host dwelling, streetscene or area.

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 and 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 As set out above, the extension would have a depth of 5.6m which would exceed the 3.6m guidance depth set out in the Design Criteria at Appendix 2 of Development Management Policies document. The extension would be set up to the boundary with the neighbour to the east no. 14 Hastings Way. It is noted that this neighbour to the east has an existing single storey rear extension approximately 3.4m deep which is set up to the boundary. The proposed extension would extend approximately 2.1m deeper than the existing rear extension (less than 3.6m) and therefore, due to the relationship between the neighbour and the application site, the existing built form on the shared boundary and the scale of the proposed extension, it is considered that the proposed extension would not therefore cause loss of light or appear over bearing to the neighbour at 14 Hastings Way. There would not be any demonstrable harm.

7.2.3 The neighbour to the west no. 18 Hasting Way shares a drive way with the application site and has an existing single storey rear extension set off the boundary. The extension would be set up to 1.5m from the boundary. The neighbour has a detached garage set up the boundary which would partly screen the extension. Due to the existing built form on the shared boundary and the scale of the proposed extension, it is considered that the proposed extension would not therefore cause loss of light or appear over bearing to the neighbour at 18 Hastings Way.

7.2.4 Two new windows are proposed in the existing ground floor western flank however these are to be obscurely glazed and top level opening. No glazing is proposed to the flanks of the proposed extension. The glazing proposed to the rear elevations of the extension would not result in any significant increase in overlooking compared to the existing site circumstances. The roof lights would be installed at a height that would not permit overlooking but would allow for natural light into the living space. This would not result in unacceptable overlooking to neighbours.

7.2.5 The nature to replace the existing front lawn with hardstanding is such that it would not have a significant impact on the residential amenities of adjacent residential dwellings. As such, no objection is raised in this regard.

7.2.6 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 consideration

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 2.25 spaces per dwelling.

7.3.2 The garage has been demolished although this was not used for parking. No additional bedrooms are proposed and the application includes alterations to the frontage to provide two parking spaces resulting in an increase in the parking available.

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 220sqm 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.

8. **Recommendation**

8.1 That 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: TRDC001 (Location plan), TRDC002 (Block plan), 1, 2, 3, 4, 5, 6, 7, 8, 10.

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).

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 £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](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.

**I2** 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.

**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 Local Planning Authority suggested modifications to the development during the course of the application and the applicant submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

**I4** The applicant is advised that the requirements of the Party Wall Act 1996 may need to be satisfied before development commences.