

8. 18/2444/FUL – Front porch; single storey rear extension; single storey side extension and conversion of garage to habitable accommodation; roof extension; subdivision of site and creation of semi-detached two storey dwelling with associated parking and landscaping and relocation of existing vehicular access to serve both dwellings at 1A LINKS WAY, CROXLEY GREEN, WD3 3RG (DCES)

Parish: Croxley Green Parish Council
Expiry of Statutory Period: 15.03.2019

Ward: Durrants
Case Officer: Lauren Edwards

Recommendation: That Planning Permission be Granted subject to the completion of a Section 106 agreement.

Reason for consideration by the Committee: The application was called in by Croxley Green Parish Council.

1 Relevant Planning History

1.1 8/836/54 – 4 detached houses with garages – Permitted.

2 Description of Application Site

2.1 The application site occupies a corner plot on the junction of Links Way and Baldwins Lane. The plot has an area of approximately 515sqm and is currently occupied by a detached dwelling which adjoins No.1B by its garage.

2.2 The existing dwelling has a pitched roof and a front gable feature. There is an existing area of hardstanding which could accommodate one car with soft landscaping to the front, side and rear of the site. The site is enclosed by a low level wall, hedging and closed boarded fencing.

2.3 Land levels rise from the front to the rear of the site.

2.4 The neighbour at No.1B reflects the application dwelling in scale and design. This dwelling is sited on a slightly lower land level to the application dwelling.

3 Description of Proposed Development

3.1 This application seeks full planning permission for a front porch; single storey rear extension; single storey side extension and conversion of garage to habitable accommodation; roof extension; subdivision of site and creation of semi-detached two storey dwelling with associated parking and landscaping and relocation of existing vehicular access to serve both dwellings.

3.2 A single storey rear extension is proposed to the existing dwelling which would have a depth of 3.6m and would extend the width of the rear elevation. This element would have a mono-pitched roof with a maximum height of 3.8m and eaves height of 2.3m.

3.3 A front porch is proposed which would infill the existing 'L' and would project 0.5m beyond the main front elevation. The porch would have a mono-pitched roof with a maximum height of 4m and an eaves 3m.

3.4 The existing garage would increase in height by 0.5m and depth by 1.8m retaining the existing shallow pitch.

3.5 The new dwelling would reflect the scale, design and size of the extended existing dwelling with the exception of a splayed side projection.

- 3.6 The single storey side projection serving the new dwelling would have an overall depth of 8.2m with a width of 2.3m to the front for a depth of 4.6m reducing to 1.7m to the rear.
- 3.7 The existing vehicular access would be relocated to a central position to serve both dwellings, with two off street parking spaces to the front of each dwelling.
- 3.8 Amended plans have been received to remove the loft accommodation and increase in ridge height from both dwellings and to remedy errors between the floor plans and elevations. Amendments have also been received to propose part brick, part render to the exterior. The two dwellings would be adjoined by a flat roof section sited centrally within the roof and would have a depth of 2m and a width of 5.4m.

4 Consultation

4.1 Statutory Consultation

4.1.1 Croxley Green Parish Council: [Objection]

Croxley Green Parish Council objects to the application for the following reasons:

CGPC believe that this proposal would result in over-massing of the plot.

We note the comment from HCC Highways but are not sure they have taken into consideration the large increase in the number of pedestrians in the area, mainly children, following the completion of Croxley Danes School.

The proposal is in breach of Policy CA1 of the Croxley Green Neighbourhood Plan due to:

1. The change in ridge height
2. The smooth white rendering being of keeping with the character area, completely different to existing materials and would unbalance the street scene

There appears to be no attempt to conform to the Croxley Green Neighbourhood Plan.

The comment from neighbouring property 1B Links Way shows legitimate concerns about the development.

CGPC feels it does not comply with Policy DM1 (Residential Design & Layout) from the Development Management Policies Local Development document.

Croxley Green Parish Council would like this application to be considered by the TRDC Planning Committee.

Officer comment: Croxley Green Parish Council have been notified of the amended plans and have made the following additional comments:

The Parish Council's Planning and Development Committee reviewed the amended plans at their meeting last night and wish to record that they continue to have the same objections to this proposed development as previously submitted namely:

"The Parish Council OBJECTS for the following reasons:

*CGPC believe that this proposal would result in over-massing of the plot;
We note the comment from HCC Highways but are not sure they have taken into consideration the large increase in the number of pedestrians in the area, mainly children, following the completion of Croxley Danes School;*

The proposal is in breach of Policy CA1 of the Croxley Green Neighbourhood Plan due to:

1. *The change in ridge height*
2. *The smooth white rendering being out of keeping with the character area, completely different to existing materials and would unbalance the street scene; There appears to be no attempt to conform to the Croxley Green Neighbourhood Plan;*

The comment from neighbouring property 1B Links Way shows legitimate concerns about the development;

CGPC feels it does not comply with TRDC Policy DM1 (Residential Design & Layout) from the Development Management Policies Local Development document.

If the 'officer recommendation' is to approve the proposal, Croxley Green Parish Council would like this application to be considered by the TRDC Planning Committee”.

The Planning and Development Committee were also extremely concerned about the fact that although the revised development excludes the loft rooms, the ridge height has remained the same. It is genuinely believed that in the unforeseen circumstance that should the proposal be approved by TRDC the roof space will be subsequently developed.

Officer comment: The Parish Council have been notified of the further amendments (omission of increase in ridge height and changes to materials), however, there was no time for them to comment before the committee report deadline. The committee will be updated verbally of any further comments received.

4.1.2 Hertfordshire County Council – Highway Authority: [No objections subject to conditions]

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

1. Access

Prior to the first use of the development hereby permitted vehicular access to and egress from the adjoining highway shall be limited to the access shown on drawing number H/6268/1 only. The existing access shall be permanently closed, and the highway footway shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access. Arrangement shall be made for surface water drainage to ensure that surface water from the new driveway is intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway

Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

2. Provision of Visibility Splay - Dimensioned in Condition

Prior to the first use of the development hereby permitted a visibility splay measuring 2.4m x 25 metres shall be provided to the south of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway on Links Way and Baldwins Lane.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

HIGHWAY INFORMATIVES:

Hertfordshire County Council (HCC) recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

AN) Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

AN) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

COMMENTS / ANALYSIS:

The application comprises of the creation of a new dwelling with associated works attached to existing dwelling at 1A Links Way, Croxley Green. The proposals are on a corner plot at the junction of Links Way and Baldwins Lane. Links Way is designated as an unclassified local access road, subject to a speed limit of 30mph whilst Baldwins Lane is designated as a classified C local distributor road, subject to a speed limit of 30mph.

VEHICLE ACCESS:

The property has an existing vehicle crossover (VXO) on Links Way leading to a single driveway and garage. This access is proposed to be closed, the garage converted into habitable accommodation and a relocated shared VXO provided for the existing and proposed dwellings, the layout out of which shown on submitted plan number H/6268/1. The relocated VXO is approximately 14/15m from the junction of Links Way/Baldwins Lane.

Following consideration of the speed of traffic and location close to the junction of Links Way and Baldwins Lane, a vehicle to vehicle sightline visibility splay of 2.4 metres x 25 metres is achievable and would need to be provided to the south / south-west of the access including partly along the Baldwins Lane boundary. Within this visibility splay area any plants or boundary features (e.g. wall, fence or hedge) would need to be permanently maintained at a height of no greater than 0.6m. In reality this would mean that a boundary feature of no greater than 0.6m from the southern edge of the proposed VXO to the corner of the plot and then westwards approximately 9m along the south-eastern/southern boundary edge.

This width and location of the shared use access is considered to be acceptable. HCC as Highway Authority would recommend a VXO of a total width of 6.3m (made up of four flat kerbs creating the access width of 4.5m and two ramped kerbs). The applicant will need to enter into a vehicle crossover agreement with HCC as the Highway Authority in relation to the creation of the new VXO and closing off the existing VXO/access.

PARKING:

The proposals include the provision of a driveway in front of the proposed and existing dwelling with two parking spaces for each dwelling, the provision and layout of which is considered to be acceptable by HCC as Highway Authority. Vehicles would be unable to turn around and egress to the highway in forward gear. However this is acceptable when taking into consideration the size of the development and the egress onto a local access road. TRDC is the parking authority and would ultimately need to be satisfied with the proposed level of parking.

REFUSE / WASTE COLLECTION:

No specific details have been provided as part of the application. Provision should be made for an on-site bin-refuse store within 30m of the dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by TRDC waste management.

EMERGENCY VEHICLE ACCESS:

The proposal is within the recommended emergency vehicle access of 45 metres from the highway to all parts of the building. This adheres to guidelines as recommended in *MfS, Roads in Hertfordshire; A Design Guide* and *Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellingshouses*.

CONCLUSION:

The applicant will need to enter into a vehicle crossover agreement with HCC as Highway Authority to cover the technical approval of the design, construction and implementation of the highway works within the existing public highway and the closing off of the existing VXO. The proposal would not have an unreasonable impact on the safety and operation of the adjoining highway. HCC therefore has no objections on highway grounds to the application, subject to the inclusion of the above planning conditions and informatives.

4.1.3 National Grid: No response received.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 19

4.2.2 No of responses received: 1 objection, 1 neutral comment

4.2.3 Site Notice: Not required Press notice: Not required

4.2.4 Summary of Responses:

- Party wall concerns
- Surface water run-off and drainage concerns from garage roof
- Concerns regarding existing shared dropped kerb
- Overlooking
- Query regarding property numbering/naming
- Request that development not encroach on to neighbouring site

- Request that unsafe trees be lopped/removed
- Additional traffic
- Concerns that smooth painted render would appear at odds within the streetscene
- Concerns regarding existing trees blocking light, causing damage and overhanging branches.

4.2.5 Officer comment: Party wall issues, damage from construction works, property naming and numbering are not material planning considerations. A full assessment of the impact on neighbouring amenity, landscaping and highways/parking is outlined within the analysis section below. The first floor flank window facing No.1B was an error on the elevations and has now been removed.

5 Reason for Delay

5.1 Committee cycle.

6 Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

6.2 In February 2019 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The 2019 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.

6.3 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 PSP2, CP1, CP2, CP3, CP4, CP8, 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, DM4, DM6, DM8, DM10, DM13 and Appendices 2 and 5.

The Site Allocations Local Development Document (SALDD) was adopted on 25 November 2014 having been through a full public participation process and Examination in Public. Policy SA1 is relevant.

The Croxley Green Neighbourhood Plan Referendum Version was adopted in December 2018. Relevant policies include: CA1, CA2, HO1, HO2 and Appendices B and C.

6.4 Other

Affordable Housing Supplementary Planning Document (adopted June 2011).

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 Principle of Development

7.1.1 The proposed development would result in a net gain of one dwelling on the application site. The site is not identified as a housing site in the Site Allocations LDD (SALDD) (adopted November 2014). However, as advised in this document, where a site is not identified for development, it may still come forward through the planning application process where it will be tested in accordance with relevant national and local policies.

7.1.2 Policy CP2 of the Core Strategy (adopted October 2011) advises that in assessing applications for development not identified as part of the District's housing land supply, including windfall sites, applications will be considered on a case by case basis having regard to:

- i. The location of the proposed development, taking into account the Spatial Strategy.
- ii. The sustainability of the development and its contribution to meeting local housing needs.
- iii. Infrastructure requirements and the impact on the delivery of allocated housing sites.
- iv. Monitoring information relating to housing supply and the Three Rivers housing targets.

7.1.3 The application site is within Croxley Green which is identified as a Key Centre in the Core Strategy. The Spatial Strategy of the Core Strategy advises that future development will be focused predominantly on sites within the urban area and on previously developed land. The Key Centres are targeted to supply approximately 60% of the District's housing requirements over the Plan period.

7.1.4 The land is not considered to be previously developed and the application would need to be assessed against all other material planning considerations.

7.2 Housing Mix

7.2.1 Policy CP3 of the Core Strategy states that the Council will require housing proposals to take into account the range of housing needs, in terms of size and type of dwellings as identified by the Strategic Housing Market Assessment (SHMA). The most recent SHMA was published in January 2016 and has identified the indicative targets for market sector dwelling size within the Three Rivers District as follows:

- 1 bedroom 7.7% of dwellings
- 2 bedrooms 27.8% of dwellings
- 3 bedrooms 41.5% of dwellings
- 4+ bedrooms 23.0% of dwellings

7.2.2 The SHMA and the Core Strategy recognise that these proportions may need to be adjusted taking account of market information, housing needs and preferences and specific site

factors. The nature of the proposed development means that it would provide 100% 3-bedroom units and would not strictly accord with Policy CP3 of the Core Strategy, however it is considered that a development of this nature would not prejudice the ability of the Council to deliver overall housing targets and the development is therefore considered acceptable in accordance with Policy CP3 of the Core Strategy (adopted October 2011).

7.3 Affordable Housing

7.3.1 In view of the identified pressing need for affordable housing in the District, Policy CP4 of the Core Strategy seeks provision of around 45% of all new housing as affordable housing and requires development resulting in a net gain of one or more dwellings to contribute to the provision of affordable housing. Developments resulting in a net gain of between one and nine dwellings may meet the requirement to provide affordable housing through a financial contribution. Details of the calculation of financial contributions in lieu of on-site provision of affordable housing are set out in the Affordable Housing Supplementary Planning Document.

7.3.2 Having regard to the NPPF as a material consideration of significant weight, officers' view is that the local evidence of affordable housing need continues to deserve significant weight in deciding whether, for the purposes of Section 38(6), the revised NPPF policies weigh sufficiently against the Core Strategy Policy CP4. Having undertaken this assessment in 2017 and further reviewed it post the new NPPF with regard to more up to date evidence, where available, officers are of the view that the Framework does not outweigh the weight to be attached to the local evidence of affordable housing need. As such proposals for the residential development of sites of 10 dwellings or less (not "major development") will currently be expected to contribute towards the provision of affordable housing in accordance with Policy CP4 as a condition of grant. The Council will keep this evidence under review.

7.3.3 As such affordable housing contributions would be sought for the proposed development.

7.3.4 This site lies within "the Langleys and Croxley Green" area where the figure is £750 per m². The Council have calculated the net gain in habitable floorspace to be 93 m². The affordable housing payment required is, therefore, £750 x 93 m² = £69,750.

7.3.5 National Planning Practice Guidance is clear that any viability assessment should be prepared on the basis that it will be made publicly available other than in exceptional circumstances. Even in those circumstances an executive summary should be made publicly available. Where an exemption from publication is sought, the LPA must be satisfied that the information to be excluded is commercially sensitive. An executive summary should present the data and findings of a viability assessment more clearly so that the process and findings are accessible to affected communities. As a minimum, the government recommends that the executive summary sets out the gross development value, benchmark land value including landowner premium, costs, as set out in this guidance where applicable, and return to developer.

7.3.6 A viability statement was submitted as part of the application which concluded that it would not be viable to make any monetary contributions towards off site affordable housing provision. Amendments have been received during the course of the application which have resulted in a reduction in the number of bedrooms. Adams Integra have reviewed the amended plans and the viability statement submitted and have concluded that there is a surplus of £18,544 which could be paid towards affordable housing. The applicant has agreed to enter into a Section 106 agreement with the LPA to secure this amount.

7.4 Impact on Character and Street Scene

7.4.1 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'.

- 7.4.2 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 street scene and should respect the character of the street scene, particularly with regard to the spacing of properties, roof form, positioning and style of windows and doors and materials
- 7.4.3 The application site is located in Character Area 7 as outlined within the Croxley Green Neighbourhood Plan (adopted Dec 2018). Policy CA1 of the Croxley Green Neighbourhood Plan outlines that new development should seek to conserve, and, wherever possible, enhance the key elements of the character and appearance of the Character Areas described in Appendix B through careful design and massing of new buildings and the protection and enhancement of private gardens and open space without inhibiting innovative design.
- 7.4.4 Extension to the existing dwelling
- 7.4.5 Appendix 2 of the DMP LDD outlines that single storey rear extensions should not exceed a depth of 3.6m and that single storey side extensions will be assessed on their own individual merits.
- 7.4.6 The proposed single storey rear extension would have a depth of 3.6m and as such would comply with Appendix 2 of the DMP LDD in this respect. Given this in addition to its siting off the flank boundary in line with the existing main side elevations it is not considered that this element of the proposed development would result in harm to the character of the streetscene or area.
- 7.4.7 The existing garage would be increased in height by 0.5m and would be extended to the rear to project in line with the main rear elevation. As existing the garage of No.1A is higher than that at 1B therefore an additional increase in height of 0.5m would not appear unduly prominent within the streetscene.
- 7.4.8 The proposed porch would project 0.5m beyond the existing front elevation however given its limited depth it is not considered that this element would appear incongruous within the mixed streetscene of Links Way.
- 7.4.9 New dwelling
- 7.4.10 In terms of new residential development, Policy DM1 of the DMLDD advises that the Council will protect the character and residential amenity of existing areas of housing from forms of 'backland', 'infill' or other forms of new residential development which are inappropriate for the area. Development will be only be supported where it can be demonstrated that the proposal will not result in:
- i. Tandem development;
 - ii. Servicing by an awkward access drive which cannot easily be used by service vehicles;
 - iii. The generation of excessive levels of traffic;
 - iv. Loss of residential amenity;

- v. Layouts unable to maintain the particular character of the area in the vicinity of the application site in terms of plot size, plot depth, building footprint, plot frontage width, frontage building line, height, gaps between buildings and streetscape features (e.g. hedges, walls, grass verges etc.)

- 7.4.11 Policy CA1 of the Croxley Green Neighbourhood Plan outlines that 'to conserve the visual cohesion new development should pay respect to adjoining buildings and the uniqueness of the Character Areas without resorting to pastiche, and pay particular attention to:
- the layout and urban grain, especially in any proposed back-land development
 - the building line, scale, eaves heights and ridge heights
 - the dominating architectural scale, detail and use of external materials.
- 7.4.12 With respect to the criteria within Policy DM1, the proposed development would not result in tandem development. The dwelling would have a street frontage and would not be served by an awkward access drive. Impact on highways and residential amenity are addressed in the relevant sections below.
- 7.4.13 In relation to layout, the plot width and depth would reflect that existing to neighbouring properties. Similarly, the building footprint would be comparable, with spacing retained around the buildings. Following the receipt of amended plans, there would be no increase in ridge height. Character is discussed in more detail below, however, in terms of the provisions of Policy DM1, it is not considered that the development would result in a layout unable to maintain the particular character of the area.
- 7.4.14 The ridge width of the existing dwelling would be extended in order to adjoin the roof of the new dwelling and would which is proposed to the southern side of the site. The proposal would therefore result in a pair of semi-detached properties. There would be no overall increase in ridge height however there would be a flat roof section introduced
- 7.4.15 It is acknowledged that No.1A sits within a row of 4 detached properties built of a similar architectural design and scale and as such the introduction of a pair of semi-detached properties would alter the visual appearance of the existing row of properties. However No.1D has already undertaken significant roof alterations and as such interrupts the uniformity of the four dwellings. In addition to this on the other corner of the junction, opposite the application site is a pair of semi-detached properties with the rest of Links Way also predominantly characterised by semi-detached dwellings. Therefore when viewed in the context of the wider streetscene and not just within the immediate row of 4 dwellings, semi-detached properties would not appear incongruous.
- 7.4.16 The proposal introduces a flat roof section running side to side to connect the two dwellings. However given that this would be sited between the front gable features the existing spacing between 1A and 1B would be retained and there would be no terracing effect. Appendix 2 of the DMP LDD outlines that crown roofs can exacerbate the depth of properties with inappropriate bulk and massing. The flat roof section would not increase the apparent bulk of the roofs given that the roofs would remain hipped to the sides. There would also be no increase in the depth of the existing building with the existing front gable features and roof pitch would also be retained which would allow the existing front feature of the dwelling to be read in context with the existing row of 4 dwellings and the addition of a new dwelling and the extensions would not subsume the existing dwelling.
- 7.4.17 The new dwelling would mirror the extended with the exception of the single storey side projection which would have a splayed flank. Appendix 2 of the DMP LDD outlines that spacing to boundaries should be with 1.2m retained at first floor level. The proposed dwelling would be set in a minimum of 2.6m from the boundary at the rear increasing to 3.8m towards the front owing to the splayed nature of the boundary. As such it is considered

that the proposed dwelling would retain more than sufficient spacing to this side of the site and would respect the existing spacious nature of the site and the wider area.

- 7.4.18 It is acknowledged that the single storey side projection would be splayed however given that spacing would still be retained to the boundary it is not considered that it would appear unduly prominent within the streetscene so as to result in harm in this respect.
- 7.4.19 The application site is located in Character Area 7 which the neighbourhood plan outlines is characterised by predominantly yellow and red brick and render on elevations, brown or red roof tiles.
- 7.4.20 The proposal would include painted render to the exterior of the new and existing dwellings at first floor level with brick retained to the ground floor. Whilst the existing row of 4 properties are brick the materials within the wider streetscene are mixed including pebble dash and painted render both on Links Way and Baldwins Lane. As such the introduction of partial render would not appear incongruous within the streetscene.
- 7.4.21 The proposal would therefore be in accordance with Policies CP1, CP3 and CP12 of the Core Strategy (adopted October 2011), Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and Policies CA1, HO1 and Appendix B of the Croxley Green Neighbourhood Plan (adopted December 2018).

7.5 Impact on amenity of neighbours

- 7.5.1 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 of the DMP LDD stipulates that new residential developments should not result in loss of residential amenity to the surrounding neighbouring properties. Appendix 2 of the DMP LDD stipulates that all developments are expected to maintain acceptable standards of privacy for both new and existing residential buildings.
- 7.5.2 Appendix 2 of the DMP LDD also sets out that single storey rear extensions to detached properties should not generally exceed 3.6m in depth.
- 7.5.3 The existing dwelling would have a single storey rear extension with a depth of 3.6m which would comply with the guidelines of Appendix 2. Given this in addition to its siting off the boundary in line with the main flank of the existing building it is not considered that the proposed extension would result in harm to the neighbour at No.1B.
- 7.5.4 The existing garage would be extended in depth and height. The extended side projection would increase in height by 0.5m and depth by 1.8m however given that it would not project beyond the existing two storey rear elevation and that the neighbour at No.1B has an existing single storey side projection it is not considered that the proposed alterations to the side projection would result in harm to No.1B.
- 7.5.5 The new dwelling would reflect the footprint of that of the extended existing dwelling. As such it is not considered that the new dwelling would result in harm to the neighbour at No.1B which would be separated from the proposed dwelling by the existing building at No. 1A.
- 7.5.6 No additional first floor flank windows are proposed.
- 7.5.7 Appendix 2 outlines that where garden length alone is relied upon as screening a minimum of 14m should be retained. 16m would be retained from the two storey rear elevation of the new dwelling and the rear boundary. As such it is not considered that the new dwelling would result in unacceptable overlooking to the neighbour No.62 Baldwins Lane whose flank elevation runs parallel with the rear elevation of the application site. Similarly, the

separation by the highway (Baldwins Lane) is such that properties to the opposite side of Baldwins Lane would not be adversely affected.

7.6 Quality of accommodation for future occupants

7.6.1 The extended existing dwelling would reflect the footprint of the new dwelling which would be sited on the same level. As such neither dwelling would result in harm to the other.

7.6.2 The first floor rear windows of the new dwelling would look on to the rear garden serving this dwelling and whilst some views would be had towards the rear garden of No.1A it is not considered that this would be an unusual relationship so as to result in unacceptable levels of overlooking to their private residential amenity. Similarly the first floor windows of 1A would allow some views to the rear garden of the new dwelling but would not be harmful to their amenity.

7.7 Amenity Space Provision for future occupants

7.7.1 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 which indicates that a three bedroom dwelling should provide 84sqm of amenity space.

7.7.2 The existing plot will retain 115sqm of amenity space with 100sqm retained to serve the new dwelling. As such sufficient amenity space would be provided to serve both dwellings.

7.8 Wildlife and Biodiversity

7.8.1 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.

7.8.2 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.

7.8.3 A biodiversity checklist was submitted with the application and this stated that no protected species will be affected as a result of the application. The Local Planning Authority is not aware of any protected species within the immediate area that would require further assessment. An informative will be added to any consent reminding the application of the course of action should bats be discovered

7.9 Trees and Landscaping

7.9.1 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.

7.9.2 The application site is not located within a Conservation Area nor are there any protected trees on near the site. It is however consider reasonable to attach a condition requiring the submission of further details of hard and soft landscaping as this is not clear from the block plan submitted.

7.10 Highways, Access and Parking

- 7.10.1 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. The parking standards dictate that a three bedroom dwelling should have 2 assigned spaces.
- 7.10.2 The proposed development would provide parking for 2 cars per dwelling which would be served by a new shared dropped kerb. There would therefore be sufficient parking to serve the existing and proposed dwelling in accordance with standards. The Highways Officer has also raised no objections to the proposed development subject to conditions relating to the submission of further details in relation to visibility splays and surface water drainage.
- 7.10.3 Whilst the provision of cycle parking would not be required to serve the dwelling given that it has been shown on the plan a condition will be attached to require the submission of elevations of the structure.

7.11 Sustainability

- 7.11.1 Paragraph 93 of the NPPF states that “Planning plays a key role in helping to shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure”.
- 7.11.2 Policy CP1 of the Core Strategy requires the submission of an Energy and Sustainability Statement demonstrating the extent to which sustainability principles have been incorporated into the location, design, construction and future use of proposals and the expected carbon emissions.
- 7.11.3 Policy DM4 of the DMLDD requires applicants to demonstrate that development will produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability. This may be achieved through a combination of energy efficiency measures, incorporation of on-site low carbon and renewable technologies, connection to a local, decentralised, renewable or low carbon energy supply. The policy states that from 2016, applicants will be required to demonstrate that new residential development will be zero carbon. However, the Government has announced that it is not pursuing zero carbon and the standard remains that development should produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability.
- 7.11.4 An energy statement has been submitted as part of the application which outlines that the existing dwelling will have a saving of 5.34% with the proposed dwelling having a saving of 7.46%. The statement does make reference to the installation of photovoltaic panels therefore a condition will be attached to require the submission of detail of their proposed siting.

7.12 Refuse and Recycling

- 7.12.1 Policy DM10 (Waste Management) of the DMLDD advises that the Council will ensure that there is adequate provision for the storage and recycling of waste and that these facilities are fully integrated into design proposals. New developments will only be supported where:
- i) The siting or design of waste/recycling areas would not result in any adverse impact to residential or work place amenity
 - ii) Waste/recycling areas can be easily accessed (and moved) by occupiers and by local authority/private waste providers
 - iii) There would be no obstruction of pedestrian, cyclists or driver site lines

7.12.2 Bin areas have been indicated on the plans submitted however these are not accessible without bring the bins through the house. However it is not considered that further details would be required in this respect as it would not be unusual for the new dwelling to move bins to the front of the site as per the existing arrangements.

7.13 Infrastructure Contributions

7.13.1 Policy CP8 of the Core Strategy requires development to make adequate contribution to infrastructure and services. The Three Rivers Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on 1 April 2015. The Charging Schedule sets out that the pre-application site is within 'Area A' within which the charge per sqm of residential development is £180.

8 **Recommendation**

8.1 That PLANNING PERMISSION BE GRANTED subject to the following conditions and subject to the completion of a Section 106 Agreement:

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: H/6268/1D, H/6268/2D and TRDC 001 (Location plan).

Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies PSP2, CP1, CP2, CP3, CP4, CP8, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM4, DM6, DM8, DM10 and DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and Policies CA1, CA2, HO1, HO2 and Appendices B and C The Croxley Green Neighbourhood Plan Referendum Version (adopted December 2018).

C3 The development shall not be completed other than in accordance with the details and materials as have been approved in writing by the Local Planning Authority as stated in the submitted application form and shown on the approved plans and no external materials shall be used other than those approved.

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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the side elevations or roof slopes of the development hereby approved.

Reason: To safeguard the residential amenities of neighbouring 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).

C5 Immediately following the implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification)

no development within the following Classes of Schedule 2 of the Order shall take place.

C6 Part 1

Class B - enlargement consisting of an addition to the roof

Class F - any hard surface

No development of any of the above classes shall be constructed or placed on any part of the land subject of this permission.

Reason: To ensure adequate planning control over further development having regard to the limitations of the site and neighbouring properties and in the interests of the visual amenities of the site and the area in general, 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).

- C7 Prior to the first use of the development hereby permitted vehicular access to and egress from the adjoining highway shall be limited to the access shown on drawing number H/6268/1D only. The existing access shall be permanently closed, and the highway footway shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access. Arrangement shall be made for surface water drainage to ensure that surface water from the new driveway is intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway

Reason: In the interests of highway safety and convenience in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

- C8 Prior to the first use of the development hereby permitted a visibility splay measuring 2.4m x 25 metres shall be provided to the south of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway on Links Way and Baldwins Lane.

Reason: In the interests of highway safety and convenience in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

- C9 Prior to works above ground level details shall be submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development.

All hard landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted. All soft landscaping works required by the approved scheme shall be carried out in accordance with a programme to be agreed before development commences and shall be maintained including the replacement of any trees or plants which die are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species, for a period for five years from the date of the approved scheme was completed.

Reason: In the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C10 Prior to the first occupation of development hereby permitted, plans and details of the photovoltaic panels shall be submitted to and approved in writing by the Local Planning Authority. The approved details and energy saving measures detailed within

the submitted Energy Statement shall be implemented prior to occupation of the development and permanently maintained thereafter.

Reason: To ensure that the development meets the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM4 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

- C11 Prior to occupation of the development hereby permitted, details and elevations of the cycle store as shown on plan number H/6268/1D shall be submitted to and approved in writing by the Local Planning Authority

Reason: To ensure that secure bicycle storage facilities are provided to encourage use of sustainable modes of travel in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 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 development maintains/improves the economic, social and environmental conditions of the District.
- 14 The applicant is advised that it is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
- 15 The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
- 16 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: 0300 060 3900
Herts & Middlesex Bat Group: www.hmbg.org.uk
or an appropriately qualified and experienced ecologist.

(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).
- 17 The applicant is advised that the requirements of the Party Wall Act 1996 may need to be satisfied before development commences.
- 18 Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any

equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

- I9 It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway
- I10 The applicant is reminded that this planning permission is subject to either a unilateral undertaking or an agreement made under the provisions of Section 106 of the Town and Country Planning Act 1990.