

PLANNING COMMITTEE - 23 JUNE 2022

PART I - DELEGATED

- 14. 22/0823/FUL: Conversion of garage to habitable accommodation, removal of front bay window, single storey front extension and removal of chimney at 2 DELLMEADOW, ABBOTS LANGLEY, WD5 0BA. (DCES)**

Parish: Abbots Langley
Expiry of Statutory Period: 28.06.2022

Ward: Abbots Langley and Bedmond
Case Officer: Claire Wilson

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: This application is brought to Committee as the agent is a District Councillor.

1 Relevant Planning History

- 1.1 8/227/76: Two storey rear extension. Application permitted.

2 Description of Application Site

2.1 The application site consists of a two storey detached dwelling located on the north western side of Dellmeadow, in close proximity to the junction with Standfield. The streetscene consists of detached dwellings of similar architectural design, although some have been visibly extended. To the front of the host dwelling is an existing ground floor projection with stepped design which appears to be an original feature of the dwelling as it is present at other properties within the vicinity. There is an existing ground floor bay window projection adjacent to no.1, with the deeper garage projection being located adjacent to no.3. The main entrance to the dwelling is recessed between these two elements. The existing projection has a flat roof extending across the front elevation.

2.2 The dwellings are located at an elevated position relative to the adjacent highway and it is noted that the host dwelling is set at a slightly lower land level relative to no.3. To the front of the dwelling is a paved driveway with provision for three off street car parking spaces.

3 Description of Proposed Development

3.1 The applicant is seeking full planning permission for the conversion of the garage to habitable accommodation, removal of the existing front bay window, single storey front extension and removal of the existing chimney.

3.2 The proposed front extension would effectively infill the existing recessed building line of the dwelling, resulting in the removal of the existing bay window projection. The extension would have a depth of 1.5m and a width of 4.4m with the front wall being constructed in line with the existing garage projection. A mono-pitched roof form is propose which would extended across the width of the front elevation; this would have a maximum height of 3.4m.

3.3 The existing garage would be converted to habitable accommodation to form a lounge. As a result, the existing door would be replaced with a window to the front elevation. The plans also indicate the blocking up of the flank garage door and its replacement with a flank window.

3.4 The existing chimney would also be removed.

4 Consultation

4.1 Statutory Consultation

4.1.1 Abbots Langley Parish Council: No objection.

4.1.2 National Grid: No comments received.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 16 No of responses received: None received.

4.2.2 Site Notice: Not required Press notice: Not required.

4.2.3 Summary of Responses: Not applicable

5 Reason for Delay

5.1 None.

6 Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

In July 2021 the new National Planning Policy Framework was published. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The 2018 NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

The NPPF states that ‘good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would ‘significantly and demonstrably’ outweigh the benefits.

6.2 The Three Rivers Local Plan

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

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP9, CP10 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM6, DM13 and Appendices 2 and 5.

6.3 Other

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

The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

7 Planning Analysis

7.1 Impact on Character and Street Scene

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 (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'.

7.1.2 With regard to single storey front extensions, Appendix 2 of the Development Management Policies LDD advises that they should not be unduly prominent within the streetscene. In this case, the proposed front extension would effectively infill the existing stepped building line and would not extend any further forward than the existing garage projection. As a result, it is not considered that the extension would increase the prominence of the dwelling within the streetscene. It is noted that the applicant is proposing a mono pitched roof form across the width of the front elevation. Given there are other examples of mono pitched roofed forms including at the adjacent neighbouring dwelling, no.1, it is not considered that this would be uncharacteristic.

7.1.3 The proposed development also includes the conversion of the existing garage which would involve the replacement of the garage door with a window which would be flush with the existing wall. The fenestration style would be sympathetic to the existing fenestration style and a condition would also be attached requiring the use of matching materials. The plans also indicate the blocking up of the flank garage door and its replacement with a window which again would match the style and appearance of the existing fenestration. The plans also include the removal of a chimney. This is only in part visible from the frontage, and thus its removal would not result in any harm to the appearance of the host dwelling or wider streetscene.

7.1.4 In summary, subject to the use of matching materials, the development is viewed to be acceptable and in accordance with Policy CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

7.2 Impact on amenity of neighbours

7.2.1 Policy CP12 of the Core Strategy advises that development proposals should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Appendix 2 of the Development Management Policies LDD states that 'oversized, unattractive, and poorly sited development can result in loss of light and outlook for neighbours and detract from the character and appearance of the streetscene'.

7.2.2 The proposed front infill extension would be located adjacent to no.1. It would be set in from the boundary with this neighbour with the block plan indicating it would not project significantly beyond the front wall of the neighbouring dwelling. Consequently, it is not

considered that this would appear unduly overbearing and would not result in a loss of light. With regard to no.3, the front extension would be screened from this neighbour by the existing front projection and thus would have no impact in terms of the extended footprint. It is noted that a mono pitched roof form is proposed which would extend across the width of the front elevation. It is acknowledged that this would be relatively high, however, the host is set at a lower land level to no.3 and given that the development would not project beyond the flank wall of the existing dwelling, it is not considered that the development would appear unduly overbearing or result in a loss of light.

7.2.3 The proposal includes a garage conversion with a front window proposed in place of the existing garage door. This would have some outlook to the frontages of neighbouring dwellings, however, given these are publically visible areas, no objection is raised. The plans also indicate the blocking up of the existing flank garage door and its replacement with a window which would face towards the flank wall of no.3. It is not considered that the window would result in harm in terms of overlooking given that it would be at ground floor level, and at a lower land level to no.3. In addition, it would be screened to some extent by existing fencing which would further mitigate any harm.

7.2.4 The removal of the existing chimney would have no impact to neighbouring dwellings.

7.2.5 There would be no harm to neighbours to the rear of the site, and no impact to nearby neighbours on Standfield given the separation by the highway.

7.2.6 In summary, the development would result in no harm to neighbouring properties. The development is viewed to be acceptable and in accordance with Policy CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

7.3 Amenity Space Provision for future occupants

7.3.1 The proposed development would not increase the requirement for further amenity space, nor would it encroach onto the existing rear amenity space.

7.4 Wildlife and Biodiversity

7.4.1 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.

7.4.2 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.

7.4.3 The application has been submitted with a Biodiversity Checklist and details that no protected species would be adversely affected by the development. Given the nature of the development as relating to ground floor alterations, no objections are raised in this regard.

7.5 Trees and Landscaping

7.5.1 Policy DM6 of the Development Management Policies LDD that development proposals on sites which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible, particularly those of local amenity or nature conservation value or hedgerows considered to meet the criteria of the Hedgerow Regulations 1997. In this case, no significant trees or areas of landscaping would be adversely affected and thus no objections are raised.

7.6 Highways, Access and Parking

- 7.6.1 Policy CP10 of the Core Strategy relates to highways and access and advises that 'all development should be designed and located to minimise the impacts of travel by motor vehicle on the District' and that all development should provide a safe and adequate means of access. In addition, Policy DM13 of the Development Management Policies LDD advises that development should benefit from sufficient off street car parking provision. A four bedroom dwelling should have three spaces.
- 7.6.2 No alterations are proposed to the existing vehicular access. With regard to car parking provision, the proposed development would result in the loss of the existing integral garage. However, there is provision for three off street car parking spaces to the frontage on the existing paved driveway which is sufficient for a dwelling of this size and in accordance with standards.

8 **Recommendation**

- 8.1 That PLANNING PERMISSION BE GRANTED subject to the following 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:

2269-WD-100A

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

8.2 **Informatives:**

- I1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works It is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- 12 The 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.
- 13 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.