

PLANNING COMMITTEE – 24 MARCH 2022

PART I - DELGATED

11. **21/2860/RSP: Part-retrospective: Part-retrospective: Ground and lower ground floor side and rear extension, loft conversion including insertion of rear dormer window, front rooflights, alterations to fenestration, rendering of property and extensions to softcast render, alterations to existing rear terrace, new external rear stairs to garden level and new raised planters at 23 COPTHORNE ROAD, CROXLEY GREEN, RICKMANSWORTH, WD3 4AB**

Parish: Croxley Green Parish Council
Expiry of Statutory Period: 01.03.2022

Ward: Dickinsons
Case Officer: Aaron Roberts

Recommendation: That Part Retrospective Planning Permission be Granted

Reason for consideration by the Committee: The application was called in by three Members of the Planning Committee due to its prominent location along Copthorne Road and that it would impact two neighbouring properties. The Croxley Green Parish Council also requested that the application be brought to Committee if the Local Planning Authority (LPA) were minded to approve, given concerns relating to neighbouring amenity.

Update 09.03.2021:

The application was considered by Members at the Planning Committee Meeting on 24 February 2022. At that meeting Members agreed to defer the application to enable a site visit to take place due to concerns with overlooking/privacy.

1 Relevant Planning History

- 1.1 20/1896/FUL - Ground and lower ground floor side and rear extension, loft conversion including insertion of rear dormer window, alterations to fenestration and alterations to existing rear terrace – Permitted and partially implemented.
- 1.2 21/0220/COMP – Enforcement Enquiry - Works not in accordance with 20/1896/FUL – Pending consideration.

2 Description of Application Site

- 2.1 The application site consists of a detached two storey dwelling, situated on the western side of Copthorne Road, Croxley Green. Copthorne Road is characterised predominately by detached dwellings sited in spacious plots, and is located with Character Area 1 of the Croxley Green Neighbourhood Plan. To the south of the site there are protected trees with the Green Belt boundary to the immediate west of the rear garden.
- 2.2 Prior to recent works, the application dwelling was finished in white rough cast render. To the south of the dwelling at a lower ground floor level was an attached garage which extended to the rear with the flat roof used as a terrace.
- 2.3 Recent works have been undertaken following the approval of application 20/1896/FUL. The single storey rear extension has been substantially completed, as has the loft conversion including rear dormer. The depth of the garage has been increased and its roof form altered. There has been alterations to the fenestration to include clear glazed UPVC windows as well as the rendering of the main dwelling with smooth-cast render. Three rooflights have also been installed within the front roofslope.
- 2.4 To the north of the application dwelling is No.25 Copthorne Road, a three-storey detached dwelling finished in white rough cast render with timber cladding to the front. To the south

of the dwelling, close to the shared boundary with No.23, there is a ground floor side projection and attached garage. This neighbouring dwellings has a similar building line and sits at a slightly higher land level.

- 2.5 To the south of the application dwelling is No.21 Copthorne Road. This neighbouring dwelling is a two storey detached dwelling finished in brick. It has been extensively extended to the side and rear at ground floor level. This property sits at a significantly lower land level.

3 Description of Proposed Development

- 3.1 This application seeks part retrospective planning permission for a ground and lower ground floor side and rear extension, loft conversion including insertion of rear dormer window, front rooflights, alterations to fenestration, rendering of property and extensions to soft-cast render, alterations to existing rear terrace, new external rear stairs to garden level and new raised planters
- 3.2 The single storey rear extension has a depth of approximately 3.7m, and a width of 7.4m. It has a hipped to crown roof form with a maximum height of approximately 3.8m from the pre-existing terrace area (set approximately 1.3m from the cill level of the rear first floor windows). Within the rear and southern flank elevations there are aluminium anthracite coloured sliding doors. In order to facilitate the rear extension, the pre-existing retaining wall and steps have been infilled.
- 3.3 The garage situated to the south of the application dwelling has been extended in depth to approximately 6.2m. The width has been retained at approximately 5.9m. The roof has been altered to a hipped to crown roof form, with a maximum height of approximately 3.1m and an eaves height of 2.5m, measured from the driveway. A garage door is located within the southern flank elevation. As part of the works, external steps would be created to provide access to the garage given the changing land levels.
- 3.4 The loft conversion serves a bedroom, dressing room and bathroom. There are three rooflights within the front roofslope. Within the rear roofslope, a dormer has been constructed. The dormer has a crown roof, an overall width of approximately 5.4m, a depth of 2.9m and a height of 2.4m. Within the rear dormer there is a triple casement window. As part of the works, the pre-existing chimney has been removed.
- 3.5 A terrace area would be located to the south of the proposed rear extension, replacing the pre-existing terrace area. It would have a width of approximately 5.2m and depth of 3.4m, not extending beyond the proposed rear extension. It would have a similar height as the existing terrace as would be located on the flat roof of the lower ground floor (north of the garage). A glass balustrade would be installed to the west of the terrace area and steps would be situated to the south. Enclosed steps would be constructed to a right angle and would project beyond the rear extension (by approximately 1.4m) leading down to the existing (and retained) low level path. These steps would have a maximum height of approximately 5m from the low level path on top of the verge. A new set of enclosed steps would lead from the low level path which is on top of the verged bank, to the lower garden level. The two sets of enclosed steps would be finished in soft-cast white render to match the dwelling.
- 3.6 Within the front elevation, at ground floor level, the pre-existing triple casement window previously serving the kitchen and W.C has been blocked in, the wall made good and two new windows inserted. Additionally, within the southern flank window, a window has been removed and blocked in at ground floor level.
- 3.7 External works including rendering and fenestration alterations have been undertaken. The dwelling has been re-rendered using white soft-cast render to replace the existing roughcast render. Within the rear and side elevations, clear glazed UPVC windows are proposed. Within the original rear elevation aluminium anthracite coloured sliding doors have been

inserted serving the lounge. Within the front elevation and the windows which adjoin the front elevation from the southern flank elevation, clear glazed UPVC windows have been fitted, however, it is proposed for these to be replaced with UPVC windows with glazing bars.

3.8 To the rear of the grass verge a raised planter has been partially constructed using brick. The retaining wall of the planter has a height of approximately 1m from the garden level and protrudes into the grass verge.

3.9 The changes between the previously approved application (20/1896/FUL) and the pending scheme are summarised below:

- The height of the rear extension has been reduced by approximately 0.7m
- Three rooflights are proposed within the front roofslope rather than one
- Fixed shut sliding doors within the rear extension, rather than windows
- Within the rear and side elevations, clear glazed UPVC windows are proposed rather than the previously approved timber glazing bars to match the pre-existing
- Dwelling has been re-rendered using white softcast render
- Enclosed steps are proposed which would be constructed to a right angle and beyond the rear extension, as opposed to the previously approved external step configuration from the terrace.
- A raised planter is proposed to the rear
- Removal of previously approved front canopy

4 Consultation

4.1 Statutory Consultation

4.1.1 Croxley Green Parish Council: [Objection]

'Croxley Green Parish Council (CGPC) object due to concerns over privacy and overlooking of the neighbours garden. CGPC support and echo the objection from the residents at No.25 Copthorne Road. If the Planning Officer is minded to approve, then CGPC request that it be considered by TRDC planning committee. CGPC request that before reaching a decision at committee meeting that TRDC Members undertake a site visit'.

4.1.2 National Grid: [No comment received. Any comments received will be verbally updated at the Committee meeting].

4.1.3 Landscape Officer: [No comment received. Any comments received will be verbally updated at the Committee meeting].

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 6

4.2.2 No of responses received: 3 objections from Copthorne Residents Society, 6 objections from 25 Copthorne Road.

4.2.3 Summary of responses:

Objection Letter Name	Comments	Officers Note:
Copthorne Residents Society (CRS) (Added 24.01.22)	<p>Object to rear sliding doors</p> <p>Object to lack of glazing bars to southern gable end</p> <p>Lack of clarity of plans</p> <p>Does not comply with local policies</p>	<p>Amended plans have been submitted to resolve discrepancies</p> <p>Annotations have been added to plans to state that the sliding doors would be non-opening and fixed shut</p>
25 Copthorne Road (Added 24.01.22)	<p>Object to rear sliding doors</p> <p>Object to lack of glazing bars to southern gable end</p> <p>Lack of clarity of plans</p> <p>Does not comply with local policies</p>	<p>Annotations have been added to plans to state that the sliding doors would be non-opening and fixed shut</p> <p>Amended plans have been submitted to resolve discrepancies</p>
25 Copthorne Road (Added 26.01.22)	Similar objections to 25 Copthorne Road (Added 24.01.22)	
CRS Supplementary letter, dated 24.01.22 (Added 28.01.22)	<p>No concerns about ridge tiles, the additional Velux windows at the front and the loss of glazing bars at the rear of the property.</p> <p>Object to rear sliding doors</p> <p>Object to lack of glazing bars to southern gable end</p> <p>Lack of clarity of plans</p> <p>Will detrimentally impact character area</p>	<p>Annotations have been added to plans to state that the sliding doors would be non-opening and fixed shut</p> <p>Amended plans have been submitted to resolve discrepancies</p>
CRS supplementary photos and plans (Added 28.01.2022)	Provided highlighted plans and photos	
25 Copthorne Road supplementary letter, dated 24.01.22 (Added 28.01.22)	Safety issues and concerns relating to future balcony adjoining the sliding doors to rear extension	Safety issues are not material planning considerations and would be dealt with at the Building Regulations stage. A balcony feature is not proposed

	<p>Concerns relating to depth of extension</p> <p>Concerns relating to clarity of low level path</p> <p>Objection to removal of glazing bars and impact to character of area</p> <p>Concerns relating to clarity of plans</p>	<p>The extension is the same depth (3.7m) as was previously approved via 20/1896/FUL)</p> <p>Glazing bars are proposed within the front elevation and part of the southern elevation</p>
25 Copthorne Road supplementary plans and photos (added 28.01.22)	Submission of plans and photos	
25 Copthorne Road supplementary, dated 26.01.22 (added 28.01.22)	<p>Submitted following amended plans added to the portal on 24.01.2022</p> <p>Concerns about render and sliding doors opening</p>	<p>Photos have been submitted showing the rear extension has been fully rendered</p>
25 Copthorne Road Supplementary Letter, dated 31.01.22	<p>Concerns that the extension is deeper than 3.7m due to structural drawings</p> <p>Request removal of PD rights</p> <p>Request the approved permission is implemented</p> <p>Similar concerns as previous letters</p>	<p>The LPA assess the application based on the plans submitted</p>

4.2.4 Site Notice: Further consultations required, expired: 27.01.2022

4.2.5 Press notice: Not required.

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

6.1.1 On 20 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 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”.

- 6.1.2 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 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 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 The Croxley Green Neighbourhood Plan Referendum Version was adopted in December 2018. Relevant policies include: Policy CA2, CA3 and Appendices B and C are relevant.

6.4 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 Overview

- 7.1.1 In November 2021 an enforcement enquiry was received in regards to works being carried out not in accordance with planning permission 20/1896/FUL, particularly the fenestration and rooflights.

- 7.1.2 Following a site visit, it was ascertained that the works had not been carried out in accordance with the plans. The owner was informed that as the development was not in accordance with the plans, a retrospective planning application would be required to formalise the works. This planning application has therefore been submitted in response to

the enforcement investigation to date but its submission is not conclusive as to its acceptability which will be discussed within the following analysis sections.

- 7.1.3 It must be noted that additional elements such as the proposed enclosed stairs serving the terrace and proposed planter have been added to the pending application compared with the original scheme.

7.2 Impact on Character and Street Scene

- 7.2.1 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'.
- 7.2.2 Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) set out that development should not have a significant impact on the visual amenities of the area. With specific regard to the proposed development, the Design Criteria at Appendix 2 of the DMP LDD sets out that with regards to single storey side extensions, proximity to the flank boundary will be individually assessed. The Design Criteria advises that rear extensions to detached dwellings should generally not exceed 4m in depth. In respect of dormer windows, the Design Criteria states that they should always be subordinate to the main roof. They should be set down from the existing ridge level; set in from either end of the roof and set back from the plan of the front or rear wall. Finally the roof form should respect the character and appearance of the house if possible. In relation to crown roofs, the Design Criteria states that crown roofs can exacerbate the depth of properties and often result in an inappropriate bulk and massing. As such, they are generally discouraged and more traditional pitched roofs are generally favoured.
- 7.2.3 Policy CA2 of The Croxley Green Neighbourhood Plan requires that domestic extensions should seek to conserve and enhance the character of the area through the control of massing, alignment and height. Extensions that have an overbearing or adverse visual effect on the Character Area in which it is located will be resisted. Policy CA2 also states that flat roofs on front or side extensions are generally inappropriate, except on small dormers, and side extensions should reflect the scale and proportion of the original house, including existing fenestration, architectural detail and materials. Policy CA3 of The Croxley Green Neighbourhood Plan states that the design of all new buildings and extensions in the streets or areas with special characteristics should respect and be in harmony with the character and scale of the immediate environment. Copthorne Road is mentioned as one of these streets with special characteristics and is located within Character Area 1.
- 7.2.4 The rear extension is not readily seen from the street scene given its location to the rear of the property, although there are fleeting views from Copthorne Road. The extension has a depth of approximately 3.7m and therefore complies with the Design Criteria guidance depth of 4m. The extension has a crown roof, which the Design Criteria discourages. However, given the location of the extension to the rear and the minimal scale of the crown roof, it is not considered that the crown roof results in inappropriate bulk and massing or appears as an incongruous addition. Given the proposed depth, height and design of the extension, that the extension would be obscured by the existing dwelling when viewed from the streetscene and that Copthorne Road is varied in terms of extensions and alterations, it is not considered that the extension appears disproportionate to the host dwelling or unduly prominent within the streetscene of Copthorne Road. Concerns were raised with regards to the glazing proposed within the rear extension, with the large glass panels (fixed

shut sliding doors) cited as not representing the original glazing bars and opening lights of the original windows. Although it is acknowledged that the fenestration would not match the pre-existing, given its location to the rear and that numerous other dwellings within the vicinity have similar glazing, it is considered that the proposed glazing would be acceptable with regard to its impact on the host dwelling, street scene and wider area.

- 7.2.5 The existing garage situated to the south of the application dwelling has been extended in depth to approximately 6.2m. The width has been retained at approximately 5.9m. The roof has been altered to a hipped to crown roof. The built form of the garage projects closer to the front of the site by approximately 2.7m. Although the built form encroaches closer to the front of the site, and a crown roof added, the garage is still set approximately 5m from the front elevation of the dwelling and 10.1m from the footpath. Additionally, although crown roofs are discouraged, the maximum height is significantly lower than the pre-existing roof form. As such it is not considered that the combination of an increase in depth or the creation of a crown roof results in inappropriate bulk and massing or appears as an incongruous addition and would be acceptable with regard to its impact on the host dwelling, street scene and wider area.
- 7.2.6 As part of the loft conversion a rear dormer has been constructed. The dormer has a hip to crown roof. There are fleeting views of the dormer from Copthorne Road and views from the rear, although this is mainly open fields. Given that the dormer is set in from either flank and set down from the ridge, it is not considered that the dormer is excessively prominent. Additionally, there are examples of other rear dormers in the vicinity, for example at No.25. The crown roofed-dormer increases the bulk of the dwelling remains subordinate in the context of the building. Given the subordinate nature of the dormer and the existence of rear dormers in close proximity, it is not considered that the dormer has an unacceptable detrimental impact on the views from the surrounding Character Area (e.g Chess Valley Walk). Given its limited scale and that they are conservation style rooflight, it is not considered that the proposed rooflights within the front roofslope detrimentally impact the host dwelling, street scene or wider area. As part of the works, the pre-existing chimney has been removed. Although the chimney was considered to be of some architectural value, the site is not located within a Conservation Area and could be removed without planning permission, therefore its removal has no objections.
- 7.2.7 A terrace area would be located to the south of the proposed rear extension, not extending beyond the proposed rear extension. Given its location to the rear and that similar terrace areas already exist on site, it is not considered that this element of the proposal and its associated works including glass balustrade would result in unduly prominent additions and would be acceptable with regard to its impact on the host dwelling, street scene and wider area. Enclosed steps would be constructed to a right angle and beyond the rear extension leading down to the existing (and retained) low level path on top of the grass verge. Whilst these would be a prominent feature of the garden, they are located to the rear and would not be readily visible from the streetscene. Whilst the enclosed steps are of a somewhat significant scale in terms of height, given their location to the rear and so would not be readily visible from the street, it is not considered that they would detrimentally impact the character of the dwelling or wider streetscene.
- 7.2.8 Within the front elevation, at ground floor level, the pre-existing triple casement window which served the kitchen and W.C has been blocked in, the wall made good and two new windows inserted. Given the location of the development, it is readily seen from the streetscene. However, the two windows are located in a similar position as the original window and would be finished in similar materials (currently are clear glazed, but proposed to be returned to glazing bars). As such, it is not considered that the windows result in unduly prominent additions and are acceptable with regard to its impact on the host dwelling, street scene and wider area. Similarly, along the southern flank a window has been blocked up, and given the rendered finish would not appear unduly prominent.

- 7.2.9 External works including rendering and fenestration alterations have been undertaken. The dwelling has been re-rendered using white soft-cast render to replace the existing roughcast render. Within the rear and side elevations, clear glazed UPVC windows are proposed. Whilst the softcast render and clear glazed fenestration would make the property appear more contemporary, given the varied nature of the streetscene, that the pre-existing property was rendered (albeit roughcast) and that glazing bars are not listed as a special feature of Copthorne Road, the above external alterations are considered acceptable with regard to its impact on the host dwelling and wider streetscene. Within the original rear elevation, aluminium anthracite coloured sliding doors have been inserted serving the lounge. Given their location to the rear, it is not considered that these would harm the character of the dwelling or wider area. Within the front elevation and the windows which adjoin the front elevation from the southern flank elevation, clear glazed UPVC windows have been fitted, however, it is proposed for these to be replaced with UPVC windows with glazing bars. Several objections have been received in relation to the clear glazed windows currently in situ to the front and within the southern elevation. Whilst the proposed UPVC windows would not be timber to match the pre-existing, it is considered that the UPVC glazed windows would retain part of the arts and crafts character of the dwelling. A suitably worded condition would be added to any permission to ensure that the existing clear glazed windows are replaced with glazing bars.
- 7.2.10 The raised planter is not readily visible from the streetscene, given its location to the rear. Given its relatively limited scale, it is not considered that this landscape feature appears as an incongruous addition.
- 7.2.11 The proposed development would therefore not result in unduly prominent additions and would be acceptable with regard to its impact on the host dwelling, street scene and wider area. The development would comply with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the DMP LDD and Policies CA2 and CA3 and Appendices B and C of the Croxley Green Neighbourhood Plan Referendum Version (adopted Dec 2018)
- 7.3 Impact on amenity of neighbours
- 7.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels of disposition of privacy, prospect, amenity and garden space'.
- 7.3.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in the loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.
- 7.3.3 The single storey rear extension has a depth of approximately 3.7m and would therefore comply with the Design Criteria guidance depth of 4.m. The extension is set off from the shared boundary with No.25 Copthorne Road, by approximately 1.2m and set from the flank elevation of No.25 by 2.6m. The rear elevation of the rear extension projects approximately 0.3m beyond the rear elevation of No.25. Objections were raised that the single storey rear extension would have an impact on the daylight and sunlight amenity to No.25's kitchen window. It is acknowledged that the development has an impact on the sunlight entering No.25's kitchen window, however, this window is not the sole window serving the kitchen. Within the rear elevation, there are other windows serving the kitchen and back rooms. Additionally, No.25 is set at a slightly higher land level, which mitigates the detrimental impact further. Given the extension would comply with the design criteria, with a depth of 3.7m, the separation distances and that the crown roof is hipped away from the shared boundary, it is not considered that the single storey rear extension results in demonstrable harm to the amenity of the occupiers of No.25 Copthorne Road. Furthermore, flank windows are not proposed, mitigating issues of overlooking. A similar extension was approved under 20/1896/FUL, however, the overall height of the pending scheme is approximately 0.7m

lower, which further adds to the acceptability of the extension. Additionally concerns have been raised with regards to overlooking from the fixed shut glazing doors, given their height. It is not considered that these sliding doors result in a material increase in overlooking, given the previous permission approved similar levels of glazing. Given the location of the rear extension, set approximately 22.6m from the shared boundary with No.21, it is not considered that this element of the proposal results in demonstrable harm to the amenity of the occupiers of No.21 Copthorne Road. Concerns (including safety concerns and concerns of a future balcony etc) have been raised that the sliding doors serving the rear extension may be opened. The submitted plans have annotated that the sliding doors are to be fixed shut and non-opening. Additionally, the safety aspect of the sliding doors is not a matter to be assessed by the LPA and a proposed balcony feature is not proposed.

- 7.3.4 The garage is situated to the south of the application dwelling. The width of the garage has not increased, meaning that the built form does not project any close to No.21. The southern flank elevation of the garage is set approximately 10.9m from the southern boundary shared with No.21. Given the built form is not set any closer to this neighbour and the significant separation distance, it is not considered that the alterations including increase in depth and change to roof form results in any adverse impact on the residential amenity of No.21 Copthorne Road. Given the garage's location and significant distance from No.25, it is not considered that the alterations result in any adverse impact on the residential amenity of No.25 Copthorne Road.
- 7.3.5 The rear dormer is set in approximately 3.3m from either side of the roof. Given that the dormer is set in from the side flanks of both neighbours and set down from the ridge it is not considered that it results in an unacceptable loss of light or overbearing impact to either neighbour. With regards to overlooking, the window within the rear of the dormer is orientated towards the private garden space of the application dwelling and would not result in additional overlooking compared to the pre-existing circumstances, given the presence of first floor windows. As such, it is not considered that the rear dormer results in any adverse impact on the residential amenity of any neighbouring dwelling.
- 7.3.6 The proposed terrace, to the south of the proposed single storey rear extension, would not project beyond the rear elevation of the extension and as such the extension would act as a screen, preventing overlooking into the private amenity space of No.25. The southern flank of the terrace would be set approximately 17.9m from the southern boundary, shared with No.21. Additionally the site had a pre-existing terrace areas, in a similar location and height to the proposed terrace. Given the reasons stated above, it is considered that the proposed rear terrace and associated works would result in any adverse impact on the residential amenity of any neighbouring dwelling. Although the overall height of the garage has been lowered, it is not considered that the terrace would give rise to overlooking into No.21 given the significant distance to No.21's boundary. Enclosed steps are proposed leading from the terrace area down to the low level path, which leads to another set of stairs down to the garden level. Whilst the enclosed stairs leading from the terrace project beyond the depth of the rear extension and would allow some views into No.25's garden, the top of the stairs would not be utilised as an area of congregation, so any overlooking would be brief, whilst the user of the stairs is walking. As such, it is not considered that the enclosed steps would lead to an unacceptable level of overlooking.
- 7.3.7 Given the nature of the works, it is not considered that the relocation and infilling of the front and southern flank fenestration would result in any adverse impact on the residential amenity of any neighbouring dwelling.
- 7.3.8 Given the nature of the works, it is not considered that the rendering of the property has resulted in any adverse impact on the residential amenity of any neighbouring dwelling. The replacement clear glazed windows are the same size and location as the pre-existing windows, so would not lead to any increase in overlooking.

7.3.9 Given the nature of the works and its limited scale and positioning, it is not considered that the planter would result in any adverse impact on the residential amenity of any neighbouring dwelling.

7.3.10 The proposed development is not considered to result in any adverse impact upon neighbouring properties and is acceptable in accordance with Policy C12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies document (adopted July 2013).

7.4 Amenity Space Provision

7.4.1 Policy CP12 of the Core Strategy states that development should take into account the need for adequate levels and disposition of amenity and garden space. Section 3 (Amenity Space) of Appendix 2 of the Development Management Policies document provides indicative levels of amenity/garden space provision.

7.4.2 Following the works, the dwelling would have 4 bedrooms (same as existing). According to the standards set out in Appendix 2 the site would require 105sqm of amenity space. The site would retain approximately 900sqm of amenity space. As such, there is sufficient amenity space provision to accommodate the proposed development and serve the dwelling in accordance with the standards as set out within the Design Criteria of the DMP LDD.

7.5 Wildlife and Biodiversity

7.5.1 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.

7.5.2 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.

7.5.3 The application has been submitted with a Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected as a result of the application. The Local Planning Authority is not aware of any records of bats (or other protected species) within the immediate area that would necessitate further surveying work being undertaken.

7.6 Trees and Landscaping

7.6.1 Policy DM6 of the Development Management Policies LDD states that development proposals should seek to retain trees and other important landscape and nature conservation features whilst including new trees and other planting to enhance the landscape of the site and its surroundings as appropriate. It also states that development proposals should demonstrate that existing trees, hedgerows and woodlands will be safeguarded and managed during and after development in accordance with the relevant British Standards and that development should be designed in such a way as to allow trees and hedgerows to grow to maturity without causing undue problems of visibility, shading or damage.

7.7 The application site is not located within a Conservation Area, however trees to the south of the site are protected by a Tree Preservation Order. As part of the previously permitted application (20/1896/FUL), the Landscape Officer commented and raised no objection. It is noted that significant hardstanding exists to the side of the property which can be utilised

during construction. It is not considered that the pending application is materially different to the previously approved application in terms of potential impact on trees. No trees of public amenity value would be harmed or removed by virtue of the proposal and the development is considered acceptable in this regard.

7.8 Highways, Access and Parking

- 7.8.1 Core Strategy Policy CP10 (adopted October 2011) requires development to make adequate provision for all users, including car parking. Policy DM13 in the Development Management Policies document (adopted July 2013) states that development should make provision for parking in accordance with the Parking Standards set out within Appendix 5.
- 7.8.2 The proposed extension would not increase the number of bedrooms within the dwelling and therefore would not require additional parking spaces. Following the works, the dwelling would have four bedrooms rather than the existing five. It is considered that there is ample parking provision for three vehicles, in line with parking standards. It is not considered that the proposed development would cause harm to highway safety.

8 **Recommendation**

- 8.1 That **PART-RETROSPECTIVE PLANNING PERMISSION BE GRANTED** and has effect from the date on which the development was carried out and is subject to the following conditions:

- C1 The development hereby permitted shall be carried out in accordance with the following approved plans: TRDC 001 (Location Plan), WREN NAJ 054 2020, WREN NAJ 054A 2020 WREN NAJ 054C 2020 REV F, WREN NAJ 054D 2020 REV F.

Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM6 and DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and Policy CA2, CA3 and Appendices B and C of the Croxley Green Neighbourhood Plan Referendum Version (adopted December 2018).

- C3 Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

Reason: To prevent the building being constructed in inappropriate materials 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 Within THREE MONTHS of the date of this decision, the clear glazed windows within the front elevation and part of the southern flank elevation of the dwellinghouse shall be replaced with windows fitted with glazing bars as shown on plan numbers WREN NAJ 054C 2020 REV F, WREN NAJ 054D 2020 REV F.

Reason: To prevent the building being constructed in inappropriate materials 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 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 or similar openings [other than those expressly authorised by this permission] shall be constructed in the side elevations and side roofslope of the proposed extensions 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).

8.2 **Informatives**

- 11 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 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 and/or their agent submitted amendments which result in a form of development that 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.