

14. 18/1537/FUL - Loft conversion including hip to gable extension, insertion of dormers to front and rear, front rooflight and alterations to fenestration at 11 BATEMAN ROAD, CROXLEY GREEN, WD3 3BL (DCES)

Parish: Croxley Green

Ward: Dickinsons

Expiry of Statutory Period: 27 September 2018

Case Officer: Katy Brackenboro

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: The applicant is a TRDC employee.

1 Relevant Planning History

1.1 08/0970/FUL - Single storey side extension. Permitted. 20.06.2008. Implemented.

1.2 01/01438/FUL - Single storey side and rear extension. Permitted.10.12.2001. Implemented.

2 Description of Application Site

2.1 The application dwelling is a two storey semi-detached dwelling located on the western side of Bateman Road, Croxley Green. The street scene consists predominantly of semi-detached dwellings which vary in architectural design and have been built on a largely uniform building line.

2.2 The application dwelling has a dark-tiled hipped roof form and is finished in grey pebble dash. It has a single storey side extension to the southern flank and a single storey rear extension. The dwelling is set back approximately 5m from the public highway. To the front of the dwelling is an attached single storey pitched roof garage. To the front of the site is an ash tree however this is not protected.

2.3 To the rear of the dwelling is a patio area spanning the width of the rear elevation of the application dwelling which leads to an area laid to lawn. The rear amenity space is enclosed by approximately 1.7m high close boarded fencing.

2.4 The adjoining semi-detached dwelling at No.12, to the south-east, is of similar architectural style to the application dwelling and is finished in grey pebble dash. It has a single storey side extension.

2.5 To the north-west of the application dwelling is No.10 Bateman Road. This is a semi-detached dwelling which is located on a similar land level and along a similar building line to the application dwelling. It has a single storey pitched roof garage to the northern flank and a single storey side extension.

3 Description of Proposed Development

3.1 This application seeks full planning permission for a loft conversion including a hip to gable extension, insertion of dormers to front and rear, front rooflight and alterations to fenestration.

3.2 The hip to gable extension would extend the ridge line in width by 4.7m and would not exceed the existing highest point of the ridge. The roof extension would not increase the existing overall depth of the roof. A front rooflight would be inserted into the front roofslope to serve the dressing room.

3.3 The front dormer window would have a pitched roof with a depth of 2.9m, a width of 1.6m and an eaves height of 1.5m with a maximum overall height of 2.4m. The dormer would

be set down by 0.7m from the ridge height of the dwelling, set up from the eaves by 1.2m and set by 1.2m from each side.

- 3.4 The rear dormer would have a pitched roof with a maximum height of 3m and a height to the eaves of 1.7m. It would have a depth of 3.6m and a width of 3m. It would be set down by 0.4m from the ridge height of the dwelling, set up from the eaves by 1.1m and set by 1.4m from each flank.
- 3.5 A window and door would be inserted into the principal elevation of the existing garage. It would be part-converted into a w/c. The built form of the garage would remain altered.
- 3.6 Amendments were made during the course of the application to reduce the scale of the proposed front and rear dormers to appear more subordinate to the host roof.

4 Consultation

4.1 Statutory Consultation

- 4.1.1 Croxley Green Parish Council: No grounds for objection.
- 4.1.2 National Grid: No comments received.

4.2 Public/Neighbour Consultation

- 4.2.1 Number consulted: 6 No of responses received: 0
- 4.2.2 Site Notice/ Press Notice not required.

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
- 6.2 On 24 July 2018 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”.
- 6.3 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.
- 6.4 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.

6.5 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 Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) seek to ensure that development does not lead to a gradual deterioration in the quality of the built environment. The Design Criteria states that hip to gable extensions are discouraged in the case of semi-detached houses as it is considered that this unbalances the pair and results in a loss of symmetry. The Design Criteria further states that front dormers may not always be appropriate in the street scene. Dormer windows should always be subordinate to the main roof.
- 7.1.3 The proposed alterations to the roof of the dwelling include an increase in the width of the main ridge by 4.7m forming a hip to gable alteration. The adjoining neighbour at 10 Bateman Road has not undertaken a hip to gable enlargement and as such the proposed development would alter the symmetry of the pair. However, given the varied nature of Bateman Road including a number of hip to gable alterations, it is not considered that in the wider setting, the proposed roof alterations would appear unduly prominent or incongruous within the character of the streetscene.
- 7.1.4 Appendix 2 of the DMP LDD outlines that dormer windows should always be subordinate to the main roof and should respect the character of the house if possible. Given that the proposed rear dormer as amended would be set down from the main ridge, set in from

either end of the roof and set back from the plane of the rear wall it is considered that the dormer would appear subordinate to the main roof.

- 7.1.5 The front dormer window would be of modest scale and have a pitched roof, sympathetic to the character of the dwelling. It would be set down from the ridge, set up from the eaves and set in from each side, appearing subordinate to the host dwelling. Front dormers are also a feature on Bateman Road such that it would not appear prominent or result in a feature that appears out of character in the street scene.
- 7.1.6 The proposed front rooflight would be visible from Bateman Road. However, it is considered that it would not appear unduly prominent within the street scene or out of character in relation to the host dwelling. In addition, other dwellings along Bateman Road have front rooflights.
- 7.1.7 The proposed alterations to fenestration within the principal elevation would alter the appearance of the host dwelling as visible from Bateman Road, however, it is not considered that the proposed fenestration would be unduly prominent within the street scene.
- 7.1.8 In summary it is not considered that the proposed development would result in a significant adverse impact on the character or appearance of the host dwelling, street scene or area and the proposal would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies document.
- 7.2 Impact on amenity of neighbours
- 7.2.1 Policy CP12 of the Core Strategy states that the 'Council will expect all development proposals to protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Policy DM1 and Appendix 2 of the Development Management Policies LDD reflect the above guidance.
- 7.2.2 The proposed rear dormer would be set in from the flank boundaries and would be set back from the eaves of the dwelling and set down from the main ridge by 0.4m. The front dormer would also be set in from the flank boundaries and set back from the eaves and down from the main ridge. As such they would both be subordinate to the host dwelling. Therefore, it is not considered that the loft conversion would result in an unacceptable loss of light or overbearing impact to any neighbouring dwellings. The proposed rear dormer would look on the rear garden of the application site. It is not considered that any unacceptable overlooking would occur to the rear. Whilst there would be views of neighbouring gardens, given that the proposed rear dormer would be set in from the flanks of the roof, it is not considered that there would be such significant overlooking, so as to result in unacceptable harm to any neighbouring properties. The highway would provide separation between the front dormer and properties opposite such that overlooking would not be facilitated.
- 7.2.3 The proposed gable end would be closest to the boundary with No. 10 Bateman Road, however, given the separation between the dwellings, it is not considered that the formation of the gable end would result in demonstrable harm to neighbouring residential amenity through overshadowing or loss of light.
- 7.2.4 The part conversion of the garage would not alter the existing built form and therefore it would not result in any adverse harm to the visual amenities of any neighbouring dwellings.
- 7.2.5 The proposed front rooflight and alterations to fenestration within the front elevation would not allow for any overlooking due to the separation provided by the highway between the application dwelling and the dwellings opposite and given their siting would not result in

any overlooking to any neighbouring dwellings. Therefore the proposed alterations and rooflight would not result in demonstrable harm to neighbouring residential amenity through overshadowing or loss of light.

7.2.6 In summary, subject to conditions, the proposed development would not result in any adverse impact on the residential amenity of any neighbouring dwelling and the development would therefore be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

7.3 Parking

7.3.1 Policy DM13 of the Development Management Policies LDD required development to ensure that sufficient parking is provided in accordance with the parking standards set out at Appendix 5 of the Development Management Policies LDD.

7.3.2 The proposed development would result in an additional bedroom to create a four bedroom property. Appendix 5 of the DMP LDD outlines that four bedroom dwellings should retain three car parking spaces (three assigned spaces).

7.3.3 The garage would be part-converted into a w/c which would prevent its use as a garage. To the front of the application dwelling is hardstanding with provision for two vehicles. There would therefore be a shortfall of one off-street parking space as a result of the proposed development. There are no parking restrictions along Bateman Road, parking is available on street and the site is within walking distance of public transport links. Whilst the shortfall is noted, it is not considered that it would be significant to result in harm to warrant the refusal of the planning application.

7.4 Amenity Space Provision for future occupants

7.4.1 Policy CP12 of the Core Strategy states that development should take into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space. Specific standards for amenity space are set out in Appendix 2 of the Development Management Policies LDD.

7.4.2 The proposed development would result in an additional bedroom therefore creating a four bedroom property. Appendix 2 outlines that a four bedroom dwelling should retain 105 sqm of amenity space. Following the proposed development the application site would retain sufficient amenity space and as such would comply with Appendix 2 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 and the site is not in or located adjacent to a designated wildlife site. The Local Planning Authority is not aware of any records of protected species within the immediate area that would necessitate further surveying work being undertaken and given the nature of the proposed development there

would not be any adverse impacts on biodiversity. However, given that the works would affect the roof an informative would advise the applicant what to do should bats be discovered during the course of the development.

7.6 Trees and Landscaping

- 7.6.1 Policy CP12 of the Core Strategy expects development proposals to 'have regard to the character, amenities and quality of an area', to 'conserve and enhance natural and heritage assets' and to 'ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features'.
- 7.6.2 The proposed development would not result in any harm or removal of any protected trees within the vicinity of the application site.

8 **Recommendation**

8.1 That PLANNING PERMISSION BE GRANTED subject to the following:

- 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: 10013 100, 10013-101 REV D, 10013-102 REV C.

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) 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 application form; the relevant form is available on the Council's website (www.threerivers.gov.uk). Fees are £97 per request (or £28 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. 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.

- 12 There may be a requirement for the approved development to comply with the Building Regulations. The Council's Building Control section can be contacted on telephone number 01923 727132 or at the website above for more information and application forms.
- 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 Local Planning Authority suggested modifications to the development during the course of the application and the applicant submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 14 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.