**10. 16/1119/FUL – Demolition of utility room and construction of a single storey rear extension, at 15 BRIDGE ROAD, HUNTON BRIDGE, WD4 8RQ, for Mr Eduado Queralto**

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| Parish: Abbots Langley Parish Council  | Ward: Gade Valley  |
| Expiry Statutory Period: 27/07/2016 | Officer: Jedd Goodwin Roberts |
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| Recommendation: That Planning Permission be Granted |
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| This application is brought before the Committee at the request of Abbots Langley Parish Council and three members of the Planning Committee.  |

1. **Relevant Planning History**
	1. 16/0922/CLPD - Certificate of Lawfulness Proposed Development: Removal of conservatory and erection of single storey rear extension – Approved 20.06.2016, Not implemented.
2. **Site Description**
	1. The application site consists of a two storey mid terraced property located along the north side of Bridge Road, Hunton Bridge and is set back approximately 2m from the highway. The application dwelling is finished in multi stock brick. To the front there is a slate tiled pitched canopy covering the entrance door to the application dwelling and No.15 and has a dormer window to the front elevation. To the rear of the property there is a single storey rear projection. The garden consists of hardstanding material. To the rear of the garden there are various brick built out buildings and a shared walkway providing access to the rear gardens of the terraced properties. The rear garden measures approximately 60.95 sqm.
	2. The neighbouring property to the east of the application site (No.17) is built on slightly lower land levels and has a similar rear building line in relation to the application dwelling. This property has not been previously extended to the rear. The neighbouring property to the west of the application site (No.13) is built on similar land levels and has the same rear building line in relation to the application dwelling. This property has been previously extended to the rear with a window in the flank elevation facing into the application garden. The boundary treatment between the application dwelling and No.13 consists of mature shrubbery and a 1.6m high close board wooden fence.
	3. The site is in the Hunton Bridge Conservation Area and within flood zones 2 and 3.
3. **Description of Proposed Development**
	1. This application seeks full planning permission for the demolition of the existing single storey rear projection and the erection of a single storey rear extension.

3.2 The proposed single storey rear extension would be constructed to both adjoining boundaries with a maximum width of 4.6m. The extension would measure 3m in depth and 3m in height. It would be constructed with a flat roof form. In the rear elevation there would be a set of patio doors. The flank elevations would be splayed, reflecting the site boundaries.

1. **Consultation**
	1. **Statutory Consultation**
	2. National Grid: no comments received.
	3. Abbots Langley Parish Council: “*Members object to this proposal which will obstruct the light to the adjoining property number 17. Furthermore there are civil matters involved regarding party wall/boundary issues. If officers are minded to approve this application then Members request that it is referred to Three Rivers Planning Committee for consideration”.*
	4. Conservation Officer:

*The proposal would not be widely seen in public views and therefore does not conflict with Conservation Area Policy”.*

* 1. Environment Agency: “*Thank you for your consultation email received on 31 May regarding the above application”.*

*We have assessed this application and although the proposed development is within 20 metres of a watercourse and in Flood Zone 2/3, in this instance we have no concerns that cannot be addressed by your use of our* [*Flood Risk Standing Advice*](https://www.gov.uk/flood-risk-assessment-local-planning-authorities) *(FRSA)*

*You will need to follow the ‘minor extensions’ and ‘what to check in an assessment’ sections to review the flood risk assessment”.*

* 1. **Public Consultation**
	2. Number consulted: 2 Number responses received: 0

4.8 Site Notice: Expires: 19 July 2016 Press Notice: Expired 01 July 2016

4.9 **Summary of Responses**

No responses received to date.

1. **Reason for Delay**
	1. No delay.
2. **Relevant Planning Policy, Guidance and Legislation**

6.1 The Three Rivers Local Plan

 The Core Strategy was adopted on the 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 (LDD) 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, DM3, DM6, DM8, DM13 and Appendices 2 and 5.

6.2 National Planning Policy Framework (NPPF)

 On 27 March 2012, the framework of government guidance in the form of Planning Policy Statements and Planning Policy Guidance Notes was replaced by the National Planning Policy Framework (NPPF). The application has been considered against the policies of 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.

6.3 Other

 The Hunton Bridge Conservation Area Appraisal (July 2008) is also relevant.

 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.

1. **Planning Analysis**
	1. **Character and Appearance and impact on the Conservation Area**
	2. Policy CP1 of the Core Strategy seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy 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’.
	3. The application site falls within the Hunton Bridge Conservation Area and Policy DM3 of the Development Management Policies document is therefore relevant. This policy states that development should be of a design and scale that preserves or enhances the character or appearance of the area and does not harm important views into, or of within the Conservation Area.
	4. The proposed single storey rear extension would be sited to the rear of the application dwelling and would not be readily visible from the street scene or public vantage points. Whilst the splayed design is unusual, the depth and height of the extension are not excessive and the Conservation Officer has raised no objection.
	5. The proposed single storey rear extension would not result in demonstrable harm to the character or appearance of the street scene or wider Conservation Area and the proposal is considered to be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (2013).
	6. **Impact on Neighbouring Residential Amenity**
	7. 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 and Appendix 2 of the Development Management Policies document set out that extensions should not result in loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties. In relation to single storey rear extensions, Appendix 2 advises that generally the maximum depth should be 3.6m in the case of a semi-detached or terraced house.
	8. The proposed single storey rear extension would be 3m deep, therefore complying with the 3.6m guideline depth as set out in the Design Criteria of the DMP LDD. The proposed extension would be constructed to the boundary of No.13 which is splayed. No.13 has a single storey rear projection and the proposed extension would project approximately 0.9m beyond the extension at No.13. However, the proposed depth of the extension would not be significant and it would not be excessively prominent in relation to No.13. The extension would have a flat roof 3m high. The proposed height and scale of the single storey rear extension would therefore not result in unacceptable loss of light or harm to the visual amenities of No.13.
	9. The proposed extension would be constructed to the boundary of No.17. The boundary with No.17 is a splayed boundary and therefore the proposed extension would follow this splayed boundary. Whilst this would result in an extension with a non-traditional design the proposed extension complies with the guideline depth for rear extensions set out in Appendix 2 of the DMP LDD. It is noted that the application dwelling is located on marginally higher land levels than No.17, however the proposed extension would be 3m high and would have a flat roof form. Therefore, taking into account the minor difference in land levels and the depth and design of the extension, the proposed height and scale of the single storey rear extension would not result in unacceptable loss of light or harm to the visual amenities of No.17.
	10. It is also noted that a 3m deep extension of the same height could be constructed as a permitted development. In June 2016 a Certificate of Lawfulness was granted for a single storey rear extension under permitted development.
	11. Overall, it is not considered that the alterations would result in a significant adverse impact on neighbouring dwellings and the development would be acceptable in accordance with Policy CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.
	12. **Trees**
	13. Policy CP12 of the Core Strategy relates to the design of development and states that development should have regard to the local context and conserve the quality of an area. Policy DM6 of the Development Management Policies document requires that development proposals demonstrate that existing trees be safeguarded and managed during and after development in accordance with the relevant British Standard.
	14. There are no trees within the application site or neighbouring properties that would be harmed by the proposed development.
	15. **Highways, Parking and Access**
	16. Core Strategy Policy CP10 requires development 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.
	17. The existing property has no off street parking, however the proposed development would not result in an increase in bedrooms requiring additional parking. Given the existing circumstances an objection on parking grounds would not be justified.
	18. **Amenity Space**
	19. Policy CP12 of the Adopted Core Strategy states that development should take into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space. The extension would result in a minor reduction to the rear garden, however sufficient amenity space would be retained.
	20. **Wildlife & Biodiversity**
	21. Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.
	22. The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application.
	23. **Flood Risk**
	24. Policy DM8 (Flood Risk and Water Resources) of the Development Management Policies LDD (adopted July 2013) advises that development will only be permitted where it would not be subject to unacceptable risk of flooding and would not unacceptably exacerbate the risks of flooding elsewhere and that the Council will support development where the quantity and quality of surface and groundwater are protected and where there is adequate and sustainable means of water supply.
	25. The site is within 20 metres of a watercourse and is in Flood Zones 2 and 3. The plans of the proposed development indicate that the floor levels of the proposed development will be set no lower than existing levels, this is in accordance with the Environment Agency’s Flood Risk Standing Advice and is considered to be acceptable.
	26. **Other**
	27. Concerns re Party Wall are noted. This is not a material planning consideration, however, an informative is suggested.
2. **Recommendation**

8.1 That the decision be delegated to the Director of Community and Environmental Services to consider any representations received and 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: 1985-1 and 1985-3 Rev A

 Reason: For the avoidance of doubt and in the proper interests of planning and to safeguard the character and appearance of the Conservation Area, in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6, DM8, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Hunton Bridge Conservation Area Appraisal (2008).

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).

C4 Notwithstanding the provisions of the Town and Country (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 elevations or roof slopes of the extension 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).

**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

 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. 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.

 Where possible, energy saving and water harvesting measures should be incorporated. Information on this is also available from the Council’s Building Control section. Any external changes to the building which may be subsequently required should be discussed with the Council’s Development Management Section prior to the commencement of work.

I2 The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

I3 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

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