## **8. 18/0170/FUL - Single storey front extension, first floor side extension, loft conversion including extension to roof, increase in ridge height, insertion of dormers to sides and rear and rooflights to front, alterations to roof of existing single storey rear extension, new external finishes to dwelling and new raised patio to rear at 69 ABBOTS ROAD, ABBOTS LANGLEY, WD5 0BJ, for Mr & Mrs Stapely**

(DCES)

|  |  |
| --- | --- |
| Parish: Abbots Langley Parish Council | Ward: Abbots Langley & Bedmond |
| Expiry of Statutory Period: 22.03.2018 | Case Officer: Melissa Turney |

# Recommendation: That Planning Permission be granted.

# Reason for consideration by the Committee: Called-in by Abbots Langley Parish Council.

# **1. Relevant Planning History**

## 1.1 04/0381/FUL – Two storey side and single storey rear extension – Permitted

# **2. Description of Application Site**

## 2.1 The application site is located on the south east side of Abbots Road. Abbots Road is largely characterised by detached dwellings of varying styles and design.

## 2.2 The application site contains a detached two storey dwelling finished in red brick and has a gable projection and a catslide roof form to part of the western flank. There is also an integral garage. The dwelling is set back approximately 9m from the highway. To the frontage is an area of lawn and hard standing which provides off street parking for three vehicles. To the rear of the dwelling the amenity space is over 500sqm with a raised patio area closest to the dwelling and lawn beyond.

## 2.3 The application site is similar in plot size to the neighbouring sites. The neighbour to south west is set on similar build line as the application dwelling but is at a lower land level. The boundary treatment with this neighbour is high closed boarded fence adjacent to the raised patio than reduces to an open low fence. The neighbour to the north east is also set on a similar building line, is at a lower land level and extends beyond the rear of the application dwelling. The boundary treatment with this neighbour is high closed boarded fence and high hedging.

# **3. Description of Proposed Development**

## 3.1 The application seeks full planning permission for a single storey front extension, first floor side extension, loft conversion including extension to roof, increase in ridge height, insertion of dormers to sides and rear, roof lights to front, alterations to roof of existing single storey rear extension, new external finishes to dwelling and new raised patio to rear.

## 3.2 The proposed single storey front extension would extend the garage 1.2m in depth and 2.9m in width. Part of the western flank elevation will be replaced in line with the current western elevation to support the first floor side extension. A new mono-pitched roof is proposed over the extension and the extension would include a new front door.

## 3.3 The proposed first floor side extension will result in loss of the cat slide roof. The extension would have a depth of 2.3m and a width of 3.1m, infilling the space to the front of the existing side projection. The first floor side extension would not project beyond the existing flank elevation. The existing roof would be continued over the extension resulting in the creation of a small crown roof. The ridge height would be increased by approximately 0.3 metres and the upper ridge width would be increased by 3.6 metres.

### 3.4 There are three dormers proposed, the dormer to the rear would have a depth of 1.8m, a width of 3.1m and a flat roof with a height of 2m and two double casement windows. The dormer in the eastern elevation would have a depth of 1.1m, a width of 2.5 and a flat roof with a height of 1m. No windows are proposed within this dormer. The dormer on the western elevation would have a depth of 1.7m, a width of 2.8m and a flat roof with a maximum height of 2m with a single obscured glazed window.

## 3.5 Two roof lights are proposed in the front elevation.

## 3.6 The existing single storey rear extension currently has a pitched roof and it is proposed to replace this with a flat roof finished with a green sedum roof and a roof lantern. The overall height of the roof would be reduced to 2.5m.

## 3.7 The extension to the raised patio would have a total depth of 8.4m and would extend for the full width of the dwelling. The proposal is to retain existing 1.8m high closed boarded fence adjacent to the patio with a new 1.5 metre fence and trellis beyond.

## 3.8 The proposed external materials include slate roof tiles; light grey render to elevations; lead cladding to dormer windows and a green sedum roof to the rear.

## 3.9 During the course of the application amended plans were received to reduce the size of the dormers and reduce the number of rooflights to the front elevation.

# **4. Consultation**

## **4.1 Statutory Consultation**

### 4.1.1 Abbots Langley Parish Council: [Objection]

*Members object to this proposed very large extension, in particular the side dormer windows, which would result in a prominent and out of character development to the detriment of the appearance of the street scene and visual amenities of the area and also an overbearing and oppressive feature to the neighbouring properties. If officers are minded to approve this application then Members request that it is referred to Three Rivers Planning Committee for consideration.*

### 4.1.2 National Grid: No response received.

## **4.2 Public/Neighbour Consultation**

### 4.2.1 Number consulted: 6 No responses received: 1

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

### 4.2.3 Summary of Responses:

Overshadowing – dormer will cause shadow over the patio area during the summer months.

# **5. Reason for Delay**

## 5.1 No delay.

# **6. Relevant Planning Policy, Guidance and Legislation**

## 6.1 National Planning Policy Framework and National Planning Practice Guidance

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) and 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 states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. 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 Appendix 2 of the Development Management Policies document set out that applications for front extensions will be assessed on their individual merits but should not results in loss of light to windows of neighbour property nor be excessively prominent in the street scene.

### 7.1.3 The proposed single storey front extension would be visible from Abbots Road given its forward projection. The extension would have a mono pitched tilted roof and render to match the dwelling. The extension would extend 1.2m beyond the front building line of the application dwelling but would remain set back from the highway such that it would not appear prominent. The roof tiles would match those to the main roof, linking the front extension to the dwelling. It is also noted that both neighbouring properties have single storey front projections. It is not considered that the single storey front extension would appear prominent or result in demonstrable harm to the character or appearance of the dwelling or street scene.

### 7.1.4 In relation to roofs, the Design Criteria at Appendix 2 of the Development Management Policies document set out that crown roofs can exacerbate the depth of properties and result in an inappropriate bulk and massing and as such they are generally discouraged and more traditional pitched roofs are favoured. Increases to ridge height will be assessed on their own merits at the time of an application but that where roof forms are of a uniform style/height and appearance it is unlikely that an increase in ridge height will be supported by the Council.

### 7.1.5 The Design Criteria of the DMP LDD states that two storey extensions may be positioned on the flank boundary provided that the first floor element is set in by a minimum of 1.2 metres. This is to prevent a terracing effect and maintain an appropriate spacing between properties in character with the locality. In high density areas, an absolute minimum of 1 metre will be considered.

### 7.1.6 The proposed first floor side extension would measure 2.3m in depth, 2.1m in width and would result in an increase in the ridge and the formation of a small crown roof. The first floor side extension would be an infill extension and would not project beyond the existing flank elevation, thereby maintaining spacing of approximately 1.9 metres to the boundary with No. 71 Abbots Road. As such, sufficient spacing would be maintained around the dwelling.

### 7.1.7 The main ridge would extend in width by approximately ridge by approximately 3.6m over the proposed side extension, creating a small crown roof and resulting in the loss of the existing catslide roof to this flank. Whilst the loss is noted, Abbots Road is varied in terms of its character and it is not considered that the side extension which would be set approximately 1.9 metres from the boundary would appear disproportionate or result in demonstrable harm to the character or appearance of the host dwelling or street scene.

### 7.1.8 There would be an overall increase to the ridge height of approximately 0.3m, however, given the spacing between the application dwelling and neighbouring properties it is not considered that this would appear out of character or result in harm (as demonstrated on the indicative street scene).

### 7.1.9 As previously noted, crown roofs are generally discouraged and more traditional pitched roofs are generally favoured. The crown roof is as a result of the slight increase in ridge and first floor side infill extension. No first floor rear extensions are proposed and therefore the apparent depth of the building when viewed from the street would remain unaltered. It is not considered that the proposed crown roof exacerbates the depth of the dwelling or results in inappropriate bulk and massing. It is also noted that there are existing crown roofs within the area, including at No. 67 Abbots Road.

### 7.1.10 In relation to dormers the Design Criteria states that; ‘dormer windows should always be subordinate to the main roof. They should be set below the existing ridge level, set in from either end of the roof and set back from the plane of the front or rear wall. The roof form should respect the character of the house if possible. Front dormers may not always be appropriate to the street scene. Multiple dormers should be proportionate in scale and number of host roof.’

### 7.1.11 The proposed rear dormer would not be readily visible from the street scene of Abbots Road. The proposed side dormers would be visible from the street scene. During the course of the application amended plans were received to reduce the size of all three dormers. All three dormer windows would be set in from the side elevations, set down from the ridge and would not extend beyond the plane of rear roof slope. They are therefore considered to appear as subordinate additions. Whilst the side dormers would be visible within the street scene, it is not considered that they would appear excessively prominent or result in demonstrable harm.

### 7.1.12 The new roof over the existing single storey rear extension would be flat and of reduced height to that existing. It would not be visible from the street scene of Abbots Road. Whilst sedum roofs are not common features, it would be visible only from the rear and would not therefore be a prominent addition.

### 7.1.13 During the course of the application amended plans were received to reduce number of roof lights. The proposed front roof lights would be set within the roof plane and it is not considered that they would appear prominent or result in demonstrable harm.

### 7.1.14 The proposed external rendering would alter the appearance of the existing dwelling, however, given the neighbour to the east No. 67 is of a rendered finish and that there are a number of other properties along Abbots Road which have been rendered and/or include slate roof tiles, it is considered that the proposed materials would be acceptable.

### 7.1.15 There would be an increase in hardstanding to the rear of the dwelling, however, a large soft landscaped garden would be retained and this aspect of the proposal would not result in harm.

### 7.1.16 In summary, it is not considered that the proposed development would result in any 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 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 residential development 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.

### 7.2.2 The single storey front extension would have a depth of 1.2m and a width of 2.9m and would be set of the boundary with the neighbour to the west No. 71 Abbots Road by approximately 2.3m and approximately 7.8m from the neighbour to the east No.67 Abbots Road. Given the relationship with both neighbours and limited projection, the proposed extension would not be considered to result in loss of light or appear overbearing to the neighbours.

### 7.2.3 The proposed first floor side extension would be located to western flank. The neighbour to the east No. 67 would be screened by the existing dwelling and the extension would therefore not result in any loss light or allow overlooking to this neighbour. The proposed first floor side extension would be sited closest to No. 71 but would not project beyond the existing first floor side flank elevation, maintaining spacing of approximately 1.9m. The neighbour to the west No. 71 is also set off the shared boundary. Given the spacing it is not considered that the first floor side extension would result in overshadowing or loss of light to No. 71 and no additional first floor flank windows are proposed. The proposed window in the front elevation would be directed towards the front of the site and therefore would not result in any harmful overlooking given the separation distance intervening highway.

### Whilst there would be an increase in ridge height of approximately 0.3 metres, the roof remains hipped away from both neighbours such that it is not considered that it would result in demonstrable harm through overshadowing or loss of light. Both flank dormer windows would be subordinate additions. The dormer facing No. 67 would not include any glazing. The dormer facing No. 71 would include a single casement which is shown on the submitted plans to be obscure glazed and top opening only; this would be secured by condition in the interests of maintaining privacy. The rear dormer would be centrally located and therefor set in from both flank boundaries with the glazing directed down the rear garden of the application dwelling. The neighbouring dwellings to the rear would be located over 45m from the rear elevation of the dwelling. This is sufficient distance to prevent overlooking from the rear elevations of the development.

### 7.2.5 The proposed new roof over the existing single storey rear extension would result in an overall reduction in height when compared to the current situation. The roof lanterns and roof light would be installed at a height that would not facilitate overlooking but would allow for natural light into the living space. Therefore it is not considered that this aspect of the proposal would result in any overlooking or appear overbearing to neighbouring properties.

### 7.2.6 The extension to the patio area would extend deeper into the private amenity space of the application site. Given the limited increase in the height of the rear patio by 0.3m it is not considered that any additional overlooking would occur. The proposed new boundary fence is not considered to appear as an overbearing or prominent form of boundary treatment so as to result in unacceptable harm to neighbouring amenity.

### 7.2.7 In summary, subject to conditions the proposed development would not therefore result in any significant adverse impact on the residential amenity of any neighbouring dwelling so as to justify refusal of the application and the development 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 LDD.

## 7.3 Amenity Space Provision for future occupants

### 7.3.1 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 and sets out that a five bedroom dwelling should provide 126sqm amenity space. The application site would retain a rear garden amenity space of over 500sqm and therefore there would be ample amenity space for current and future occupiers.

## 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 is accompanied by a biodiversity checklist which 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 protected species within the immediate area that would necessitate further surveying work being undertaken, however, as works include alterations to the roof an advisory informative is included.

## 7.5 Trees and Landscaping

### 7.5.1 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’.

### 7.5.2 The application site is not within a Conservation Area nor are there any trees protected by a Tree Preservation Order on or near the site. Therefore the development would not result in the loss or harm to any protected trees.

## 7.6 Highways, Access and Parking

### 7.6.1 Appendix 5 of the Development Management Policies LDD states that a 4 or more bedroom property should retain on-site parking provision of 3 spaces or more. The existing hardstanding to the front of the property can accommodate 3 parking spaces 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: HPA/PL/1207/100 (Location Plan), HPA/PL/1207/101, HPA/PL/1207/100 HPA/PL/1207/102, HPA/PL/1207/103 Rev A, HPA/PL/1207/104 Rev A, HPA/PL/1207/105 Rev A, HPA/PL/1207/106 Rev A.

## Reason: For the avoidance of doubt, in the proper interests of planning and 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 The building(s) shall not be erected other than in the materials as have been approved in writing by the Local Planning Authority as stated on the application form and shown on the approved plans; and no external materials shall be used other than those approved.

## Reason: To ensure that the external appearance of the building is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

## C4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (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 first floor flank elevations or roof slopes hereby approved.

## Reason: To safeguard the residential amenities of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

## C5 Before the first occupation of the extensions hereby permitted, the dormer window in the western elevation at second floor level shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window shall be permanently retained in that condition thereafter.

## Reason: To safeguard the amenities of the occupiers of neighbouring residential 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:

## 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](mailto: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](http://www.hertfordshirebc.co.uk).

## Community Infrastructure Levy (CIL) - If your development is liable for CIL payments, it is a requirement under Regulation 67 (1) 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.

## I2 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.

## 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 commences.

## I5 Bats are protected under domestic and European legislation where, in summary, it is an offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in a roost or deliberately disturb a bat in a way that would impair its ability to survive, breed or rear young, hibernate or migrate, or significantly affect its local distribution or abundance; damage or destroy a bat roost; possess or advertise/sell/exchange a bat; and intentionally or recklessly obstruct access to a bat roost.

## If bats are found all works must stop immediately and advice sought as to how to proceed from either of the following organisations:

## The UK Bat Helpline: 0845 1300 228

## Natural England: 0300 060 3900

## Herts & Middlesex Bat Group: www.hmbg.org.uk

## or an appropriately qualified and experienced ecologist.

## (As an alternative to proceeding with caution, the applicant may wish to commission an ecological consultant before works start to determine whether or not bats are present. A list of bat consultants can be obtained from Hertfordshire Ecology on 01992 555220).