

4/01332/12/FHA - NEW GLAZED CANOPY TO REAR ELEVATION OVER NEW HOT TUB AND PATIO.

1 SINFIELD PLACE, GROVE ROAD, TRING, HP23 5FE.

APPLICANT: MISS C STRONG.

[Case Officer - Joan Reid]

[Grid Ref - SP 92736 12536]

Summary

The application is recommended for approval. The application site is located within the residential area of Tring wherein extensions to properties are acceptable in accordance with policy 2 of the DBLP. There would be no adverse effects on the appearance of the street scene or to the character of the parent dwelling. The amenity of adjoining neighbours would not be adversely affected in terms of loss of sunlight, daylight or privacy. Any significant noise and nuisance would be governed under Environmental Health legislation. Sufficient car parking is contained within the site. Important trees and landscaping are not affected by the proposal. The details of this scheme accord with the development principles for this area and planning guidelines. The proposal therefore accords with Policies 2 and 11 and Appendices 5 and 7 of the Borough Plan and policies CS1, CS11, CS12 and CS29 of the Pre-submission Core Strategy and the NPPF.

Site Description

The application site is located to the south west of Grove Road and comprises a modern two storey semi-detached property and gardens. The rear garden is bounded by a fence measuring approximately 1.8m and extends to a depth of approximately 13m (average).

Proposal

The application seeks planning permission for a single storey extension to the rear. The extension comprises an open side glazed canopy which extends out to a depth of 5m towards the boundary with no.21 Grove Road and 3.4m along the boundary with no.2 Sinfield. Alterations are also proposed to the rear elevation of the house with the insertion of bi-fold doors.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Tring Town Council. Tring Town council are concerned about the noise and nuisance to neighbouring properties as a result of the proposed development.

Planning History

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)

Dacorum Borough Local Plan

Policies 1, 2, 11, 13 and 58

Appendices 3, 5 and 7

Pre-Submission Core Strategy

Policies CS1, CS11, CS12, CS24 and CS29

Supplementary Planning Guidance

Residential Character Area TCA 12 New Mill East

Representations

Comments received from local residents:

2 Sinfield Place

Summary of representations

- extension creates a large open sided conservatory of approximately 26sq.m adding approximately 60% of the existing ground floor of the existing ground floor area.
- canopied area sits directly adjacent to our garden and completely alters the rear elevation of one of a pair of recently constructed semi-detached houses.
- the canopied design is likely to create, an echo chamber which will amplify any sound within it
- noise from new hot tub and pump, the use of which will be extended as it will be undercover
- additional noise carried from within the house when the proposed new bi-fold doors across almost the entire back of the house are open - extension gives the impression that it is an extension of living space and for the purpose of entertainment.
- this will be exacerbated by the sides being open and above the dividing fence in line .
- environmental assessment has been deemed unnecessary by the applicants. Such an assessment should be carried out and environmental health consulted.
- there are restrictive covenants on the land.

Tring Town Council

Tring Town council recommend this application for refusal on the grounds of potential noise and nuisance to neighbours.

Environmental Health

Environmental Health does not have any objections to the erection of the canopy which this planning application refers to.

Considerations

Policy and Principle

The NPPF promotes good design and advises that local planning policies and decisions should aim to ensure that developments are visually attractive as a result of good architecture and appropriate landscaping.

DBLP 11 Quality of Development accords with the advice in the NPPF and states that a high standard is expected in all development proposals. Development will not be permitted unless it is appropriate in terms of: layout; site coverage; design; scale; bulk; height; materials and landscaping. On the site itself, in relation to adjoining property and in the context of longer views: it respects the townscape, density and general character of the area in which it is set; it avoids harm to the surrounding neighbourhood and adjoining properties through, for example, visual intrusion; it retains, does not adversely affect and where appropriate enhances

important landscape, natural, ecological, historical or architectural features.

Appendix 7 of the local plan should also be considered as it sets out good design practice for small-scale extensions. Appendix 7 indicates that extensions should harmonise with the original design and character of the house in terms of scale, roof form, window design and external finishes. A reasonable private garden/amenity space should remain following the construction of the extension, and it should not bring the house unduly close to a wall of an adjoining dwelling. In terms of the surrounding area, any extension should maintain the common design characteristics of the row or street within which a house is located, with particular regard to roof line and building pattern, design details. In terms of side extensions.

Appendix 7 states that the permissible outward projection or rear extension will be assessed with regard to:

- a) individual site factors such as orientation and levels;
- b) the visual effect of the extension on the original building and the retention of space around it; and
- c) the following generally acceptable dimensions:
 - i) for single storey extensions, up to 3m on the party wall boundary between semi-detached or terraced housing.

Policy CS12 of the Pre-submission Core Strategy requires development to provide safe and satisfactory means of access and sufficient parking. Development should also avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties. Retention and enhancement of trees and will be expected and all development should respect adjoining properties in terms of; layout, security, site coverage, scale, height, bulk, materials and landscaping and amenity space.

Area appraisal for Northchurch (BCA 19) states within this character area, states that extensions should normally be subordinate to the parent dwelling in terms of scale and height.

Eric Pickles MP released a statement on 6th September 2012 which suggests that it is the Government's intention to further relax rules and regulations in order to allow homeowners greater flexibility in extending their homes.

Effects on appearance of building

The proposed development will be situated to the rear of the property and has the general appearance of a conservatory however it is open to the sides. The extension measures approximately 3m in height and has an eaves height of 2.4m. The glazed extension has two projections, one which extends to 5m nearest the boundary with no.21 Grove Road and the other extending out to 3.4m nearest no.2 Sinfield Place. It is considered that the extension would not result in significant harm to the character of the property due to limited height and design and the projection set against the height of the parent building, still allows the extension to appear subservient to the main house.

Impact on Street Scene

There would be a very limited impact on the character of the street scene as a result of the proposal. The proposal is to the rear of the property and would not be particularly visible from Grove Road. Also, the extension due to its height and screening would not be visible from New Mill Terrace.

Impact on Neighbours

Concern has been raised by the neighbouring property and the canopy/hot hub will result in noise and nuisance to their property. The Environmental Health department have been consulted on this matter and have raised no objection to the proposals. Should significant harm arise from noise, the residents affected would be asked to make a formal complaint and complete a complaint form and diary sheets. Environmental Health can investigate noise complaints under the Environmental Protection Act 1990 and if required, act accordingly. On this basis, it is considered that the hot tub and canopy is not an uncommon domestic proposal, a refusal on noise and nuisance to neighbours could not be sustained.

It is considered that the single storey rear extension would not result in significant loss of sunlight or daylight to the neighbouring properties and would not appear overbearing. Although the extension measures 2m beyond the recommended length in appendix 7 above (along the boundary with 21 Grove Road), the extension is situated adjacent a boundary wall measuring approximately 2.5m and as a result the extension will not result in any loss of light or privacy to no.21 Grove Road. In terms of impact to no. 2 the extension sits adjacent to a 2m close boarded fence and there would not be a significant loss of light or privacy over and above the existing situation.

Other

No significant trees or landscaping would be lost as a result of the proposal. The extension would not increase the number of bedrooms and no additional parking is requested.

RECOMMENDATION - That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

- 1 **The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2 **The development hereby permitted shall be carried out in accordance with the following approved plans:**

4605

Reason: For the avoidance of doubt and in the interests of proper planning.

NOTE 1:

This decision to grant planning permission has been taken for the following reason and having regard to the policies and proposals in the development plan set out below and to all other material planning considerations, including relevant supplementary planning guidance.

The site is located in an area where domestic extensions are acceptable in principle in accordance with Policy 2 of the Borough Plan. There would be no adverse effects on the appearance of the building or the appearance of the street scene.

The amenity of adjoining neighbours would not be adversely affected. Car parking within the site is adequate. The proposals therefore accord with Policy 11 of the Borough Plan. The proposals therefore accord with Policy 11 of the Borough Plan and Policies CS4, CS11, CS12 and CS29 of the Pre-Submission Core Strategy.

NOTE 2:

The following policies of the development plan are relevant to this decision:

Dacorum Borough Local Plan 1991 - 2011

Policies 1, 2, 9, 10, 11, 13 and 58

Appendices 5 and 7

Pre-Submission Core Strategy

Policies CS1, CS4, CS10, CS11, CS12, and CS29

Supplementary Planning Guidance

Development in Residential Areas