

ITEM 5.6

4/00853/13/FHA - GARAGE CONVERSION, FRONT INFILL EXTENSION, PART TWO-STOREY/PART SINGLE STOREY REAR/SIDE EXTENSION, FRONT PARKING FACILITIES, AND REAR PATIO (WITH DWARF RETAINING WALL). 2 ARCHER CLOSE, KINGS LANGLEY, WD4 9HF

APPLICANT: MRS KIM GRIFFITHS

[Case Officer - Philip Stanley]

[Grid Ref - TL 06954 02573]

Summary

The application is recommended for approval.

The proposed application contains numerous elements (garage conversion, front infill extensions, single storey and two-storey rear extensions, level changes to rear garden). Nevertheless, when considered as individual items or cumulatively, the proposals would not cause harm to the appearance of the original building or the character of the street scene. Furthermore, the residential amenities of adjacent neighbours would not be significantly adversely affected by the development. The proposed development would therefore comply with Policy 11 of the Dacorum Borough Local Plan 1991-2011 and Policy CS12 of the Dacorum Core Strategy (Pre-submission with Modifications January 2013).

Site Description

The application site comprises a detached house on the western side of Archer Close, a residential cul-de-sac located in the large village of Kings Langley. The property is the first in a line of three detached properties on this side of the road, with the detached houses opposite bending round a small amenity green opposite the site.

The house is set back from the road by approximately 5 metres and a driveway on the left-hand side leads to an integral garage. The remainder of the open front garden is lawn and is framed by two tall trees, one on the pavement by the road just to the left of the driveway. The house has a two-storey front gable with first floor tile hanging, otherwise the house is constructed of red brick.

The rear garden is a good depth and narrows to the rear, where an electricity sub-station is situated. The rear garden is bordered by staggered 2 metre high close-boarded fencing.

Proposal

It is proposed to construct a part two-storey and part single storey rear extension. This extension has been amended to take the extension a minimum of 1 metre from the boundary with No.4 Archer Close. This extension would have a depth of 4 metres and would have a gable ended two-storey section on its left-hand side having a width of 4.1 metres. To the right of this would be a rear pitched roof single storey extension. To the left of the two-storey extension would be a rear / side wrap around extension, pitching to the side with two roof lights, and extending 1.35 metres

beyond the existing side building line. This extension would provide a large open plan kitchen / family room space on the ground floor and a fifth bedroom upstairs.

In addition to the above it is proposed to convert the garage into a habitable room (a study). A standard horizontal window would replace the garage door. It is also proposed to infill at ground floor level the space between the garage on the left-hand side and the two-storey front gable on the right-hand side, which would create a porch.

In terms of landscaping it is proposed to block pave an additional portion of the front garden, sufficient to create a second parking space within the front garden, but also leaving a section of lawn to the right-hand side. An aco-drain would be constructed at the front of the site leading to a soak-away. In the rear garden a new 3.6m deep patio area would be built beyond the proposed extension. Due to the rising land levels it will be necessary to excavate the garden to create a flat patio surface. This would result in the need for 0.6m high retaining walls around the patio.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Kings Langley Parish Council.

Planning History

A pre-application enquiry for these proposals was submitted under 4/02338/12/PRE. No objections were raised at that stage, though it was noted that the two-storey element of the proposals would need to be limited to avoid harming the residential amenities of neighbouring properties.

Policies

National Policy Guidance

NPPF
Circular 11/95

Dacorum Borough Local Plan

Policies 1, 3, 9, 10, 11, 13, 58
Appendices 5 and 7

Pre-Submission Core Strategy (incorporating the Main and Minor Modifications: January 2013)

Policies CS4, CS11 and CS12

Supplementary Planning Guidance

Environmental Guidelines
Accessibility Zones for the Application of Parking Standards

Representations

ORIGINAL SCHEME

Kings Langley Parish Council

No objection.

Trees and Woodlands

The adjacent highway tree is currently causing damage to the footway, it's a native cherry with quite a lot more growing to do and so may be described at in the later stages of its 'street life'. We would be happy to lose the tree and get a nearby replacement. I see no trees of note at the rear, so no comments from me on rear extensions.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

Two letters of objection were received from Nos.4 Archer Close, which raised the following concerns:

- The 4 metre depth of the rear extension was too large.
- Due to the depth and height of the extensions there are likely to be consequent impacts on light (especially in winter months) and more particularly on privacy. The new window will have a clear vista over our garden and the back of our house.
- The visual intrusion looking from the back of our house is also likely to be significant.
- The size of the extension will bring the exit from the family room immediately adjacent to our boundary, resulting in additional loss of privacy. At the moment the exit from the existing dining room is on a lower level and 4m away from our boundary which means there are no issues of privacy at all, even when their patio is being used. Once a new patio is built the issues will become even worse.
- Ground levels. In order to accommodate the extension as proposed with the patio door leading into the garden from the new family room, the upward slope of their rear garden will have to be removed, requiring retaining works to stop slippage of our garden. If the levelling is extended to accommodate a patio at the same level of the ground floor (as now) the retaining works would be significant.
- It would be unheard of in 2013 to provide a five bed house with only one bathroom, yet that is what is proposed. In addition they plan to use the converted garage as a sixth bedroom, making the lack of additional bathrooms an even bigger issue.
- The noise levels will become worse as a result of the proposed scheme as the living areas will directly border our boundary. In addition, the applicant told me that they intend to maximise the occupancy rate at the property following the works; this increase will further exacerbate noise and disturbance.
- A five (never mind six) bedroom house will require many more than two parking spaces. If all proposed bedrooms are occupied by those above the

legal age to drive, the number of cars could reach 6 or even 7. There are already significant numbers of cars that park on Archer Close and on Langley Hill around the junction with Archer Close, despite the large driveways and garages in neighbouring houses. Thus the scheme as proposed will risk increasing the amount of road parking significantly, particularly on Langley Hill. This is a much busier road than you would expect, as it is the main route to outlying villages and the three schools (Rudolf Steiner, Secondary and Junior). The Hill already experiences traffic problems particularly during school start/end times, which are exacerbated by the parked cars. This problem is likely to be made worse as a result of this scheme.

AMENDED SCHEME

Kings Langley Parish Council

The Council OBJECTED to this application on the grounds that because of its size and bulk it constituted a substantial overdevelopment of the site.

Trees and Woodlands

We have nothing further to add.

Response to Neighbour Re-Notification

Two letters of objection were received, which confirmed that their previous objections still stand. One of these letters also asked questions regarding the newly proposed retaining wall (its appearance, its foundations, the fact that this reduces the width of the walkway down the side of the property).

Considerations

Policy and Principle

The application site is located within an urban area of Kings Langley wherein there is no objection to residential development / extensions according to Policy 3 of the DBLP and Policy CS4 of the Core Strategy. Policy 11 of the Dacorum Borough Local Plan (DBLP) expects all schemes to be of high quality and to ensure that they respect the appearance of the original house, are in keeping with the character of the street and do not harm the residential amenities of neighbouring houses. It also expects all schemes to provide sufficient parking and space for servicing and not adversely affect important trees.

Effects on appearance of building

It is appreciated that the proposals in their totality represent significant alterations to the original property and there is no doubt that the appearance of the original house would be altered. Furthermore, it is appreciated that Kings Langley Parish Council have raised an objection to the revised application on the grounds of the size of the development. This was received even though the Parish Council raised no objection to the original submission, which was larger.

Nevertheless, it is considered that the submitted scheme would achieve these extensions and alterations in a way that is sympathetic to the character of the original house.

At the front it will be important to secure a very closely matching brick to that existing (the use of matching materials should be conditioned). It is also noted that the new window for the habitable window is to use similar horizontal proportions and the same framing design as the existing ground floor window so to be in keeping with the scale and design of the existing windows and to ensure that the infill extension does not stand out negatively. Overall, this aspect of the proposals, with a simple mono-pitch above, would be suitably quiet and respectful of the original house. Certainly the two-storey front gable with first floor tile hanging, the most prominent feature of the house would be unaffected.

In terms of the rear extensions the proposals represent a typical rear residential extension and should be unproblematic. Following pre-application advice the two-storey element would be set in 0.5 metres from the northern side to allow the original form of the house to remain apparent and also to reduce the height and bulk of any roof so that the new roof is clearly set down and subservient to the main roof.

Impact on Street Scene

It is not considered that these proposals would cause any harm to the character of the area. The changes to the publicly visible front extension are relatively modest and have already been completed at No.1 Archer Close.

There may be fleeting views of the side of the rear extension between the house and No.24 Langley Hill, however as trees provide screening any such views would be for a limited stretch of the road. Overall, the proposed extensions would not dominate or look out of place within the street scene.

The works to the front garden, which would result in a second parking space in the front garden are not ideal. However, as an on-site drainage mechanism is now proposed these works could be completed under permitted development rights and could not be resisted.

Impact on Trees and Landscaping

The Trees & Woodlands Officer has stated that the flowering cherry in the highway verge has become too large for its location and that potentially the applicant could achieve a better scheme if this were removed and a replacement planted nearby. However, the applicant already has a dropped kerb under the canopy of the tree and any extension to the dropped kerb would take place further away from the cherry. Therefore it would not be reasonable to add a condition seeking the applicant to pay for these highways works.

Impact on Neighbours

The works to the front of the house would not take the property beyond its present front building line and would not affect neighbouring properties. Therefore, the key considerations here would be the impact of the proposals at the rear on the neighbours at No.4 Archer Close and Nos.24-28 Langley Hill.

No.4 Archer Close is south of the site and as such would not lose any sunlight as a result of the proposals. It is noted that the two-storey element to the rear extensions has been pushed to the left-hand side of the rear elevation, over 5 metres from side building line closest to No.4. This is a sufficient distance from the closest habitable window of No.4 to ensure that it does not cut into a 45-degree line drawn from that window. This would ensure that the proposed extension does not cause a significant loss of daylight to this neighbour and nor would it be overbearing.

It is noted that this neighbour has objected to the 4 metre depth of the proposed extensions. However, amended plans have been received which have moved the extension to at least 1.3 metre from the shared boundary with No.4 at all points. Combined with the fact that a single storey extension could be built at this depth under permitted development rights it is not considered that the application could be refused on harm caused to No.4's residential amenity.

The relationship with No.24 Langley Hill is very different and this neighbour backs onto the side of the house, but is set approximately 17.5 metres away from the boundary of the site. There is no doubt that the proposals would result in an increased shadowing of the bottom of their rear garden (with a similar but much reduced impact on No.26 Langley Hill), however it is considered that the application could not be refused on these grounds because the rear windows of No.24 Langley Hill and its more important immediate rear garden area would be unaffected.

There are some concerns that the proposal could be overbearing on No.24 Langley Hill. It is appreciated that this neighbour already has a view of the side of No.2 Archer Close, however a two-storey rear extension would see this view spread across the entire width of the neighbour's plot. As a result of this concern expressed at the pre-application stage the applicant has set in the two-storey extension set in from the northern flank of the house by 0.5 metres to provide some additional relief to this neighbour. Overall the proposed two-storey extension would be set in 2 metres from the shared boundary with No.24 Langley Hill and at this distance the applicant could construct a 3 metre deep two-storey rear extension without the need for a planning application. It is not considered that the proposed additional one metre depth would cause such harm to Nos.24-28 Langley Hill to warrant refusal.

Concerns have also been raised with regards to loss of privacy. However, the neighbour to the rear (No.8) is over 25 metres from the proposed rear building, while no side windows are shown on the side elevation facing the Langley Hill neighbours. As such the proposed rear window would not have clear views over neighbour's gardens. Rather views would be down the applicant's rear garden and at an oblique angle to Nos.24-28 Langley Hill. It is again pertinent to note that a two-storey rear extension with a clear glazed rear window can be built at the applicant's property only one metre shorter than that presently shown. The difference between this permitted development scheme and the proposed scheme would not be so harmful as to warrant refusal of this application.

A neighbour has also objected to the proposed application due to the increased proximity of the rear doors to their boundary. It is noted that the rear entrances would be closer to the Langley Hill properties and No.4 Archer Close than the present single rear door to the dining-room. However, it is not considered that this would result in any loss of residential amenity to neighbours, especially as all the entrances being proposed could be constructed using permitted development rights.

Parking

It is noted that these proposals would result in both the loss of an off-street parking space and the creation of an additional bedroom. A property of the proposed size in this location would be expected to provide three off-street parking spaces unless it can be demonstrated why this is not necessary.

In response to this point made at the pre-application stage the proposals include the provision of a second parking space within the front garden. While this is still below the three spaces sought in Appendix 5 of the DBLP it is not considered that the application could be refused on the grounds of insufficient parking for the following reasons:

- The site is within convenient walking distance of Kings Langley Local Centre and the facilities and public transport links within that centre.
- The garage could be converted without planning permission.
- A third parking space would be gained by parking on the highway in front of the site (other cars would not be able to park here without blocking access into the site).

It is noted that a local resident has expressed concern that a five-bed property could require 6 or 7 spaces (based on occupancy by those who are above the legal age to drive). However, no property along Archer Close provides this level of off-street parking and it would be unreasonable to insist on that level of off-street parking here, which would also be above the Council's maximum parking standards.

Other Considerations

Room Use

A neighbour has expressed concerns he has been told that the converted garage shown as a 'study' will be used as a sixth bedroom. He has also expressed concerns that the extended property would only contain one bathroom.

Notwithstanding the fact that the plans show a downstairs W.C. in addition to the upstairs bedroom, it is not considered that this application could be refused on these points made by the neighbour. There is no policy within the DBLP which states a required bathroom to bedroom ratio and should this matter become an issue for future occupiers then they have the possibility of either converting one of the bedrooms to a second bathroom or to install an en-suite in one of the bedrooms. Similarly, planning cannot control the exact use of individual rooms. It is not rare for a living-room on occasions to become overspill bedroom accommodation, or a

bedroom to become a study.

Levels

A neighbour expressed concern that no mention of the required changes to garden level were shown on the original drawings. Therefore, drawings demonstrating this point were sought and received. It is noted that the level changes to the rear garden would result in a lowering of the existing position, thereby protecting the privacy of neighbouring properties.

Noise

A neighbour has raised concerns that the proposed enlarged property would result in additional noise because living areas would be constructed along the shared boundary and also because of the potential for more people to live at the site. However, it is not considered that an enlarged property would automatically result in increased noise and disturbance. Should this prove to be the case then the neighbour has recourse to Environmental Health legislation to deal with unacceptable noise levels.

Conclusions

The proposed extensions and alterations would be sympathetic to the appearance of the original house and the character of the street scene. Furthermore, no significant harm would be caused to the residential amenities of surrounding properties. Car parking within the site is sufficient to accommodate the scale of the proposals. As such it is considered that the proposed development meets the objectives of Policy 11 of the Dacorum Borough Local Plan and Policies CS11 and CS12 of the Dacorum Borough Core Strategy (Pre-submission with Modifications).

RECOMMENDATION – That the application be **DELEGATED** to the Group Manager Development Management & Planning with a view to approval following the conclusion of the neighbour consultation process on 10 September 2013. This is subject to no new material considerations arising during the conclusion of the consultation process which in the view of the Group Manager have not been previously addressed.

- 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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development in accordance with Policy 11 of the Dacorum Borough Local Plan and Policies

CS11 and CS12 of the Dacorum Borough Core Strategy (Pre-submission with Modifications).

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

**RJ/KG/AC/lp/1
RJ/KG/AC/P/1B
RJ/KG/AC/fplp/1A
RJ/KG/AC/PAW/1A
RJ/KG/AC/ed/1**

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 3 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. Important trees and hedges would be unaffected by the proposals. Car parking within the site would be adequate. The proposals therefore accord with Policy 11 of the Borough Plan and Policy CS12 of the Pre-Submission Core Strategy (incorporating the Main and Minor Modifications: January 2013).

NOTE 2:

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

Dacorum Borough Local Plan 1991 - 2011

Policies 3, 9, 10, 11, 13, 58 and 99
Appendices 5 and 7

Pre-Submission Core Strategy (incorporating the Main and Minor Modifications: January 2013)

Policies CS4, CS11, CS12

Supplementary Planning Guidance

Development in Residential Areas

NOTE 3:

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-

application stage which lead to improvements to the scheme. Further changes to improve the scheme were achieved through discussions at the application stage between the Council and the applicant. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.