

4/00040/18/FUL	SINGLE-STOREY SIDE EXTENSIONS AND PART TWO PART SINGLE-STOREY REAR EXTENSION FOLLOWING DEMOLITION OF EXISTING GARAGE, HIP-TO-GABLE LOFT COVNERSION, ALTERATIONS TO FRONT OPENINGS AND CONVERSION OF EXISTING BUILDING TO CREATE TWO SEPARATE DWELLINGS
Site Address	40 CONISTON ROAD, KINGS LANGLEY, WD4 8BU
Applicant	MR MITEV
Case Officer	Intan Keen
Referral to Committee	Contrary views of Kings Langley Parish Council

1. Recommendation

1.1 That planning permission be **delegated with a view to APPROVAL** subject to the expiry of the notification period on amended plans and subject to conditions.

2. Summary

2.1 The development of the site to create two dwellings (net increase of one residential unit) is acceptable in principle noting the site's location within the village of Kings Langley. The proposed extensions and building conversion would not have an adverse impact on the character and appearance of the street scene and surrounding area. The development would not have a harmful impact on the residential amenity of neighbouring properties. Access and parking arrangements would be satisfactory.

2.2 The proposal is therefore in accordance with the aims of the National Planning Policy Framework and Policies CS1, CS4, CS10, CS11 and CS12 of the Dacorum Core Strategy.

3. Site Description

3.1 The application site is currently occupied by a detached two-storey dwelling set on a wide plot located on the north-western side of Coniston Road. The site lies within the village of Kings Langley within an established residential area which rises from Hempstead Road (A4251) in a south-westerly direction. The street comprises predominantly two-storey semi-detached dwellings of varying detailing and external materials within a suburban setting.

3.2 The existing dwelling on the application site, together with the neighbouring semi-detached dwellings to the north-east at Nos. 38 and 38a, is set back slightly compared with the established building line along the north-western side of Coniston Road. The building setback and in-out vehicle access allows for a small element of soft landscaping to the site's frontage.

4. Proposal

4.1 Planning permission is sought to extend the existing building and convert it to create two separate dwellings with four bedrooms each, based on amended plans.

4.2 A hip-to-gable loft conversion is proposed that would retain the original ridge height, incorporating four roof lights within the front elevation. Two gabled dormer windows would feature on the resultant rear roof slope.

4.3 The extensions also comprise single-storey hipped lean-to extensions to either side of the building adding 3.2m and 3.5m to its width, and a part two-storey part single-storey rear extension projecting 3.4m at first floor level and 5.2m at ground floor from the existing dwelling. A further single-storey rear projection would extend a further 1.6m in the footprint of the existing detached garage.

4.4 Subdivision of the plot would be at the centre of the existing building with the garden of the south-western dwelling wrapping around that of the north-eastern dwelling, however garden depths for both properties would be a minimum of 28m following construction of the rear extensions.

4.5 Car parking would be provided at the front of the respective dwellings with space for up three car parking spaces each, utilising the two existing accesses off Coniston Road so that each property would have independent access from the other.

5. Relevant Planning History

5.2 None on site.

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance

6.2 Dacorum Core Strategy

Policies NP1, CS, CS4, CS8, CS10, CS11, CS12, CS17, CS28, CS19, CS29, CS31, CS32, CS35

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 10, 18, 21, 58, 99
Appendices 3 and 5

6.4 Supplementary Planning Guidance / Documents

- Kings Langley Urban Design Assessment (2006)
- Environmental Guidelines (May 2004)
- Planning Obligations (April 2011)

7. Constraints

- Residential Area within large village
- Green Belt
- Former land use
- Oil pipe buffer
- CIL Zone 2

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A.

Neighbour notification / site notice responses

8.2 These are reproduced in full at Appendix B in response to the amended plans.

8.3 Responses received in relation to the original submission are summarised at Appendix C.

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Layout and density
- Impact on appearance of street scene
- Impact on neighbouring properties
- Traffic, access and parking
- Drainage and flood risk
- Community Infrastructure Levy (CIL)
- Oil pipe buffer

Policy and principle

9.2 As described above, the site lies within an established built up residential area within the village of Kings Langley, where appropriate residential development is encouraged under Policy CS4 of the Core Strategy. Section 6 of the NPPF sets out housing applications should be considered in the context of the presumption in favour of sustainable development.

9.3 The portion of Green Belt land confined to the rear portion of the site would not be affected by the development, noting the proposed subdivision arrangement is also wholly contained within the area designated as residential land. As such the proposal would not conflict with the aims of Policy CS5 of the Core Strategy.

Layout and density

9.4 The proposal and associated subdivision would generally follow the regular pattern of development within Coniston Road.

9.5 In layout terms the proposal would be acceptable, also noting the allocated garden areas to the proposed dwellings would be satisfactory, exceeding average minimum garden depths of 11.5m as set out under saved Appendix 3 of the Local Plan. 9.6 Importantly, private amenity areas of 28m or greater for the two dwellings would be appropriate and functional taking their size into consideration (four-bedrooms each) and would be of sizes commensurate with adjacent and nearby properties on Coniston Road.

9.7 Concerns have been raised with the amount of development proposed on the site. It is noted that the proposed rearward projection of 8m at single-storey level, whilst deep compared with the existing building footprint, would replace the existing detached garage which extends up to 7.3m beyond the rear wall of the house. The first floor rear additions would extend to the rear in line with the side walls of the original building.

9.8 There would be no objections to the proposed side extensions constructed within 1m of their respective side boundaries noting the assessment below and side extensions of this width that could currently be carried out under permitted development.

9.9 In numerical density terms the development would result in 9 dwellings per hectare. Based on the pattern of development within the surrounding area, noting plot widths broadly consistent with semi-detached dwellings located immediately north-east of the site and beyond, the proposal would be acceptable in terms of residential density.

9.10 The development is therefore acceptable under Policies CS11 and CS12 of the Core Strategy.

Impact on appearance of street scene

9.11 It is acknowledged that the existing dwelling is an attractive, generously-proportioned building with arts and crafts front gabled projection. The building forms part of a street scene comprising predominantly semi-detached dwellings in a suburban setting. The size of dwellings gives the impression of a low to medium density within the immediate residential area. There is no uniform building pattern although dwellings appear generally of a certain age (1930s construction) with large proportions and a variance in building materials. Many of these dwellings feature side extensions and complex roof forms which are visible from the street, setting them further apart from each other in terms of form and design detail.

9.12 The existing dwelling on the application site, whilst it contributes to the suburban character, would not be considered as a non-designated heritage asset. It does however feature a wide street frontage and due to gaps between buildings and the topography of the area falling towards Hempstead Road, any building extensions to the front would be visible within the immediate street scene of Coniston Road.

9.13 It is acknowledged that the hip-to-gable loft conversion and insertion of roof lights could be carried out to the existing dwelling under permitted development. Although the original roof profile would not be retained as a result, the semi-detached pair would benefit from a symmetrical profile, retaining its ridge and eave height, and the original gable and pair of dormer windows would remain the prominent elements in the street. The positioning of four roof lights on the principal elevation, whilst high in number, would be not unduly compromise the building's appearance noting their size and spacing.

9.14 Additionally, the proposed side extensions would allow gaps between dwellings to be maintained with hipped lean to roofs which provide an appropriate transition from the resultant main gable roof of the building, without being overly prominent in the street scene.

9.15 The proposed two-storey rear extensions would be confined within the side extremities of the original building as appropriate. These would extend to approximately 3.4m at two-storey level from the original rear wall and would be hipped into the site to reduce building bulk where perceived within the street scene. As such, these elements of the proposal would not harm the character and appearance of Coniston Road.

9.16 It is noted that the proposed decking area to the rear would not exceed 0.3m above the highest point of natural ground level which would be permitted development.

9.17 The proposal would be acceptable under Policies CS11 and CS12 of the Core Strategy.

Impact on neighbouring properties

9.18 The impact of development upon the living conditions of the two properties either side at Nos. 38a and 40 Coniston Road should be considered. Each will be discussed in turn.

38a Coniston Road

9.19 The original application was subject to a daylight and sunlight assessment which concluded that there would not be a harmful impact in light terms from a two-storey side and rear extension relative to the sole side-facing kitchen window at No. 38a.

9.20 It is not considered that the single-storey side extension and the rear extensions would have an adverse impact on No. 38a from the perspective of this kitchen window. The amount

of building and structures that could be carried out under permitted development is a material consideration, and this includes a two-storey rear extension of 3m in depth. The extension would project 3.4m at two-storey level at a distance of 3.8m from the shared boundary (6.2m from the window). When viewed together with the single-storey side extension, which has an eave height in line with permitted development, and boundary treatment that could be constructed between the properties it is not considered the additional 0.4m depth at two-storey level would significantly impact the neighbouring property above permitted development.

9.21 Due to the level change between the application site and the kitchen window at No. 38a the proposed gable roof over the main building would not be readily perceived.

9.22 There are no rear-facing windows to No. 38a that would be adversely affected by the proposals.

9.23 With respect to the proposed decking, the south-eastern edge would be located approximately 3.9m from the shared side boundary with No. 38a, at which point it would be at a height of 0.46m above natural ground level. It is not considered to give rise to overlooking concerns and views towards windows and the rear garden of No. 38a would be further obscured by the rear projection on the neighbouring property.

42 Coniston Road

9.24 There is a side-facing kitchen window at No. 42 which is directed towards the application site, however the kitchen has an open plan arrangement with a dining and sitting area which benefits from larger rear-facing openings to the rear. This property's siting on higher ground relative to the application site would also assist in alleviating any concerns with respect to the impact of development in terms of visual intrusion or loss of light.

9.25 The proposed two-storey rear extension would not intrude into a 45° line from the ground floor rear-facing windows.

9.26 Additionally the proposed single-storey projection proximate to the shared side boundary would extend to the depth of the existing garage with a consistent eave height of 3m. Whilst a deep extension, the development would be replacing an existing structure, and the increase in height of building along the boundary by approximately 0.5m would be acceptable noting the drop in levels of approximately 0.65m towards the application site.

9.27 No. 42 as noted is sited on higher ground and would not be adversely affected by the patio proposal.

9.28 The development would therefore accord with Policy CS12 of the Core Strategy in this regard.

Traffic, access and parking

9.29 No objections have been raised by the highway authority in their comments below with respect to traffic and utilising existing access arrangements for the two dwellings.

9.30 Parking would be provided on-site accommodating three cars per dwelling totalling six spaces appropriately split between their respective forecourts. As such, the development would meet the maximum standards set out under saved Appendix 5 of the Local Plan at three spaces per dwelling and it is not considered that parking demand as a result of the development would place undue stress on the surrounding road network.

9.31 The proposal would comply with the aims of Policies CS8 and CS12 of the Core Strategy and saved Policy 58 of the Local Plan.

Drainage and flood risk

9.32 A soakaway plan has been provided noting the site's location within a Source Protection Zone. The Environment Agency have raised no objection to the soakaway plan. The development would not conflict with the aims of Policies CS31 and CS32 of the Core Strategy.

Community Infrastructure Levy (CIL)

9.33 The development of the site is subject to a CIL payment calculated in accordance with the CIL Charging Schedule at £150 per square metre.

Oil pipe buffer

9.34 The area for proposed development would not encroach within the oil pipe buffer affecting the site, with the exception of subdivision fencing within the rear garden. It is noted however that fencing in this location up to 2m high would not require planning permission.

10. Conclusions

10.1 For reasons mentioned above the proposal would be acceptable in principle noting the contribution the proposal would make towards housing need in the Borough. The development would not have an adverse impact on the appearance of the street scene, and would not unduly compromise the residential amenity of neighbouring properties. Car parking arrangements would meet maximum standards and would therefore be sufficient.

10.2 The proposal is therefore in accordance with Policies CS1, CS4, CS8, CS11 and CS12 of the Core Strategy.

11. RECOMMENDATION

11.1 It is recommended that the application is DELEGATED to the Group Manager, Development Management and Planning with a view to approval subject to the expiry of the notification period on the amended plans and subject to the conditions set out below.

- 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 extensions 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 CS12 of the Dacorum Core Strategy 2013.

- 3 No development (excluding demolition and groundworks) shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:**

- **hard surfacing materials including method of disposal of surface water;**

- means of enclosure;
- soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- trees to be retained and measures for their protection during construction works;
- proposed finished levels or contours;
- car parking layouts and other vehicle and pedestrian access and circulation areas;
- refuse storage areas;
- proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc);
- retained historic landscape features and proposals for restoration, where relevant.

The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 4 **Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the local planning authority.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 5 **The windows at first floor level in the north-eastern and south-western elevations of the development hereby permitted shall be non-opening below a height of 1.7m and shall be permanently fitted with obscured glass.**

Reason: In the interests of the amenity of adjoining residents in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 6 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:**

Schedule 2 Part 1 Classes A and E

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential amenity of the locality in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

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

R6 - 1/6 (site location plan) May 2018
R6 - D (proposed demolition plan) June 2018
R6 - 4/6 (proposed site plan only) June 2018
R6 - 5/6 (proposed floor plans) June 2018
R6 - 6/6 (proposed elevations) June 2018

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

Article 35

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the pre-application and determination stages which led to improvements to the scheme. The Council has therefore acted 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) Order 2015.

Appendix A - Consultation responses

Kings Langley Parish Council

The Council objected to this application because its bulk / size would not be in-keeping with neighbouring properties / the street and would create a visual intrusion and cause a loss of light to neighbouring properties.

Hertfordshire Highways

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Informative:

I recommend inclusion of the following advisory note to ensure that any works within the highway are to be carried out in accordance with the provisions of the highway Act 1980.

Storage of materials AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Obstruction of the highway AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Mud on highway AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

Planning Application

Proposal is for demolition of existing garage. Construction of a part two storey, part single storey rear extension. A two storey side extension to each side. Alterations to the windows and doors to front elevation. Conversion of the existing dwelling into two separate dwellings.

Site and Surrounding

The site is located at 40 Coniston Road, Kings Langly. The existing property is a detached property with two dropped kerb arrangements. Coniston Road is a 715m long unclassified local access road linking A4125 Hampstead Road and Barnes Lane. There is no on-street parking restrictions and most properties are either detached or semi-detached with off street parking.

Sustainability

The site is surrounded by residential properties.

Access and Parking

Applicant is not proposing to alter any on-site parking which is a matter for the local planning authority. In terms of access as explained above there are two dropped kerb arrangements and the applicant is not proposing to make any alterations. Since the proposal is for two separate dwellings each dropped kerb could be allocated each dwelling for separate access arrangement

Conclusion

The highway authority does not wish to restrict the grant of consent.

Dacorum Contaminated Land

No objection. Note site's location within the vicinity of potentially contaminative land use (infilled quarry) and suggest standard conditions.

Dacorum Building Control - no comment

Hertfordshire Property Services - no objection

Environment Agency - no objection

British Pipeline Agency - not in zone of interest, no comment

Appendix B - Neighbour notification and site notice response

38a Coniston Road

I have had contact with the applicant about the new plans which are certainly an improvement. My observations are:

Whilst I would prefer the status quo to remain, I am aware of PD rights. We have had a lot of dialogue regarding the eaves height of the single storey extension adjoining my property and the reduction to 3m above ground level as shown is welcomed and must be strictly adhered too. The total roof height is above PD but officers can comment. The applicant had offered a white paint/render gable adjoining me but the drawing shows brick?

We discussed windows on my elevation and I strongly request obscure glazing and high level opening only so this should be conditioned as the drawings do not state this. My preference is for the first floor side bedroom window to the 2 storey extension to be removed but that is a planning officer matter, if not then obscure glazed.

The 2 storey extension is deeper than PD but will leave that to officers to comment.

32 Coniston Road

I have viewed the amended plans for 40 Coniston Road and still have objections, namely:

- 1) the new development will extend to both boundaries with adjoining properties, and the new plans seem to suggest that there will be even less of a gap from the boundary lines than seen in the previous plans submitted.
- 2) The removal of the existing chimneys will seriously detract from the nature and character of the house. The house is in Tudor style and the chimneys are twisted effect and rather beautiful. Taking these away will change the style of the house.
- 3) The extensions to the back and side of the house will considerably increase its footprint.
- 4) Turning one detached house into two semi detached properties increases the burden on local parking provision.

I also note that a significant construction has taken place in the rear garden of this property which is likely to lie within the Green Belt and I cannot find that planning permission has been sought or granted.

Appendix C - Neighbour notification and site notice responses to original plans

Items of correspondence have been received from Nos. 19, 21, 32, 38a, 42 Coniston Road, objecting to the proposal on the following grounds:

- Proposed additions to building would appear alien and harm the character and balance of the building;
- Varying gable and ridge heights which are not well-related;
- Contrived design and crown roof represents overdevelopment;
- Excessive height and bulk;
- Materials unsympathetic to site and surrounding area;
- Gap between dwellings would not be proportionate to building sizes;
- Erode spacious character and balance of street;
- Development lead to terracing effect;
- Development would impact amenity from neighbouring windows;
- Daylight and Sunlight assessment submitted was carried out without a site visit to the neighbouring property;
- Over-dominating form of development leading to unreasonable visual intrusion;

- Impact of development on neighbouring properties noting drop in levels;
- Additional parking and traffic unsatisfactory on busy road and noting proximity to school;
- Inaccuracies on plan;
- Design and Access Statement required;
- No details of foundations.

It is noted that the dimensions of the proposed plans accord with those on site and the plans are satisfactory for the purposes of the planning application in terms of assessing the impact of the development on the surrounding area.

Details of foundations would not normally be required relating to an application of this scale and construction works are covered under separate legislation.

Under the Town and Country Planning (Development Management Procedure) (England) Order 2015, a Design and Access Statement is not a mandatory validation requirement for this application. Reference is made to Section 9 which requires an application for planning permission to be accompanied by a statement where any part of the development is in a designated area and consists of the provision of one or more dwellinghouses (designated area is defined under this section as a Conservation Area or a property appearing on the World Heritage List). The application site does not lie within a designated area for the purposes of this regulation.