

**4/00158/16/FHA - PART TWO STOREY AND PART SINGLE STOREY REAR
EXTENSION TO REPLACE EXISTING CONSERVATORY.
30 ELM TREE WALK, TRING, HP23 5EJ.
APPLICANT: Mr & Mrs Walters.**

[Case Officer - Amy Harman]

Summary

The application is recommended for approval.

Site Description

The application site is located to the north of Elm Tree Walk, Tring. The site comprises of a detached dwelling house located within the Silk Mill Area Character Appraisal (TCA11). The dwelling house is externally finished in red multi brick with a grey concrete tiled gable roof. To the side of the dwelling there is a driveway formed of brick paving which leads to a single garage. Parking provision would sufficiently accommodate three domestic cars.

The property was built as part of planned cul-de-sac of similarly constructed properties featuring a mix of semi-detached and detached dwelling houses. All properties are relatively regimented in regards to architectural detailing, separation gap, height and build line. The area has a verdant aspect emphasised by generous rectangular garden plots serving the properties. Several properties have been extended, with rear and side extensions evident within the street scene; however the overall character of the area remains evident.

Proposal

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Tring Town Council.

Planning History

4/00182/06/FH CONSERVATORY

A

Granted
21/03/2006

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
Circular 11/95

Adopted Core Strategy

NP1 - Supporting Development
CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS28 - Renewable Energy
CS29 - Sustainable Design and Construction

Saved Policies of the Dacorum Borough Local Plan

Policies 10, 12, 13, 15, 18, 19, 21, 22, 23,...
Appendices 3, 7

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)
Area Based Policies (May 2004) - Residential Character Area [TCA11 - Silk Mill]

Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

Summary of Representations

Tring Town Council

The council recommend refusal of this application due to overdevelopment of the site and the loss of amenity to the property itself and to neighbouring properties.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

28 and 32 Elm Tree Walk - Objections

28 Elm Tree Walk

- Lead to substantial overshadowing and loss of light to my home and garden. The plans have included an extra window into the bedroom of their own property due to lack of light from the extension.
- The extension will be clearly visible from even a sitting position of my lounge.
- The lower ground floor extension is in such close proximity to my garage and even the height of the single element is high, is there a guarantee that this would not damage the structure of the garage, not just during the building stage but longer term or even my home?
- The size of the extension has required the need for new obscured windows to the side to let in light but do not mention whether they are fixed or open, and object to any opening windows in such close proximity overlooking my upper and lower bathrooms leading to a lack of **privacy** and the addition of windows will increase **noise** that would echo down the drive way.
- In addition to the new obscured windows to the side, the extension still includes for what looks like one French style window/door opening inward at the rear on the first floor where viewing point is a an invasion of privacy.
- To add to this the extension would cause a loss of one of the parking space to

what is already a busy road to park.

- The enormity of this proposal at 72.5 % increased footprint is completely out of proportion to the original property and its design is intrusive impacting on neighbouring properties to an unacceptable level and trust that the Committee will take into consideration my objections when making their decision as an extension on this scale will set a precedent and by allowing a precedent that others may follow.

15/03/2016

32 Elm Tree Walk

- There should be a two metre gap between the first floor elements of each house and in the proposal there is only one metre.
- There is a visual intrusion to our outlook in that the property protrudes in front of our line of sight to the left as we look outwards from the front of our property
- The plan does not demonstrate the 3 parking spaces required of a 4/5 bed property since the proposal removes the garage space and part of the driveway for development

05/03/2016

Considerations

Policy and Principle

The application site is located within a residential area, wherein the principle of a residential extension is acceptable subject to compliance with the relevant national and local policies outlined below. The main issues to the consideration of this application relate to the impact of the proposed extension upon the character and appearance on the existing dwelling house, immediate street scene and residential amenity of neighbouring properties.

Effects on appearance of building

Saved appendix 7 of the Dacorum Local Plan (1991), policies CS11, CS12 of the Core Strategy (2013) and the NPPF (2012) all seek to ensure that any new development/alteration respects or improves the character of the surrounding area and adjacent properties in terms of scale, massing, materials, layout, bulk and height.

TCA 11 relates to the Silk Mill area and identifies that extensions are required to be subordinate in scale to the parent dwelling.

The proposed side extension projects 1.6 metres from the side of the existing house and 1.42 metres from the existing rear elevation. Only part of this element is two storey. This is considered to be relatively subservient and therefore not considered visually intrusive or harmful to the character and appearance of the dwelling or street scene; accordingly the proposed coheres with the NPPF (2012), appendix 7 of the Dacorum Local Plan (1991) and CS11, CS12 of the Core Strategy (2013).

In accordance with the submitted application the proposed extension would be of traditional design comprising multi red brickwork walls, a grey concrete tiled hipped roof and white UPVC windows and doors; all of which would complement the existing

dwellinghouse. These materials are considered acceptable for this type of extension and in-keeping with the existing dwelling house, complying with policy CS12 of the Core Strategy (2013).

Due to the staggered nature of the houses in this location 30 Elm Tree walk is set back significantly from 32 Elm Tree Walk and as such, the proposed extension by pulling out the rear elevation would increase the natural light into the rear of 30 Elm Tree Walk.

Impact on Street Scene

The proposed side and rear extension is set back from the front elevation and when viewed from the street scene has a minimal impact. The two storey side extension is set back no further than the existing garage which is to be demolished and the current spacing of one metre of the garage to the adjacent property is to be retained.

Impact on Neighbours

There have been objections from both 28 and 32, the neighbours on either side of the proposal site. The objections relate to;

- overshadowing and loss of light;
- the extension will be 'visible' from the adjacent properties;
- parking;
- separation between the properties;

The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (1991) and policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon the neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way visual intrusion, loss of light and privacy. Moreover, Saved Appendix 7 of the Local Plan advises that alterations should be set within a line drawn at 45 degrees from the nearest neighbouring habitable window.

The applicant has prepared a drawing showing the 45 degree angle at both levels of the proposed extension to the closest habitable room (sitting room) at 28 Elm Tree Walk. This demonstrates that the two storey element of the proposed two storey extension does not impinge on it. Although the single storey part of the extension would just cross the line, at this level, the existing garage to No 28 is what would shade the area outside the sitting room, depending on the time of year. It is considered that the proposed rear extension would be marginally visible. As a result, it is not considered that there would be a significant loss of daylight to neighbouring ground floor windows as a result of the proposal.

Due to the staggered variation in build line the proposed rear extension would not detriment neighbouring residents at 28 Elm Tree Walk.

Furthermore, no invasion of privacy would occur to neighbouring residents as the new windows on the North East elevation at first floor level would be conditioned to be non-opening and obscure glazed. The additional windows proposed on the south west

elevation would look onto the brick wall of neighbouring property 28 Elm Tree Walk.

Moreover, the proposed doors, roof lights and windows to the rear elevation of the extension are appropriate in size, position and height; in-keeping with the existing fenestrations of the dwelling house. Subsequently they would not result in additional impact upon the residential amenity and privacy of neighbouring residents. The doors on proposed bedroom 3 (at the rear) were removed by the applicant and replaced with a window to ensure privacy.

Additionally, Saved Appendix 3 of the Local Plan states that properties should have a rear garden depth of 11.5m. In this case a 14.5 metre (minimum) deep garden would be retained meeting the saved guidance. In addition, the property located to the rear of the dwelling house (18 Kay Close) would be located 30 metres (approximately) away.

Thus, the proposed extension would not impact upon the residential amenity and privacy of neighbouring residents. As a result the rear extension in regards to residential amenity is acceptable in terms of the NPPF (2012), Saved Appendix 3 of the Local Plan (1991) and Policy CS12 of the Core Strategy (2013).

Over development

Tring Town Council's objection relates to over-development of the site. The scheme represents an increase of floorspace from 147 square metres to 202 square metres, this represents a percentage increase of 37%, given that the property retains a garden of 14.5 metres, which is quite a large garden and the development does not take up more than 50% of the existing garden it is considered grounds for refusal relating to overdevelopment could not be sustained. Moreover this floorspace increase could largely be provided by a single storey outbuilding of at least this size under Permitted Development.

Impact on Trees and Landscaping

No trees are effected by the proposal.

Other Material Planning Considerations

The proposal includes the addition of one bedroom, taking the property from a four to a five bedroom property. The Council's Parking guidelines within Saved Appendix 5 of the Local Plan (1991) set out the 'maximum' parking standards. The guidance sets out that a maximum of 3 spaces should be provided for a 4/5 bed house. The current driveway would allow for 2 cars to be parked comfortably. The existing garage, which is to be demolished, would struggle to fit a modern car and therefore the proposal does not result in the loss of parking. The standards are only set out as a maximum and in this location there are no restrictions on on-street parking. On both visits to the site, there was plenty of available car parking on street. Subsequently, it is not considered that the proposal would impact on the safety and operation of the adjacent highway. The proposal meets the requirements of policy CS12 of the Core Strategy (2013) and saved appendix 5 of the Local Plan (1991).

Conclusions

The proposed part, single, part two storey side and rear extension through size, position and design would not adversely impact upon the visual amenity of the existing dwelling house, immediate street scene, or the residential amenity of neighbouring residents. The proposal is therefore in accordance with saved appendixes 3 and 7 of the Dacorum Local Plan (1991), policies CS11, CS12 of the Core Strategy (2013) and the NPPF (2012).

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/documents:**

110
200 E
201C

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

3. **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.

4. **The window at first floor level in the North East elevation of the extension hereby permitted shall be non-opening and shall be permanently fitted with obscured glass unless otherwise agreed in writing with the local planning authority.**

Reason: In the interests of the amenity of adjoining residents in accordance with saved Appendix 3 and Adopted Core Strategy CS12

Article 35 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. 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 2015.