

4/03441/16/FHA - DEMOLITION OF EXISTING CONSERVATORY AND REPLACEMENT TWO STOREY SIDE EXTENSION AND PART TWO STOREY AND SINGLE STOREY REAR EXTENSION.

25 WINDMILL WAY, TRING, HP23 4HH.

APPLICANT: Mr & Mrs J Jones.

[Case Officer - Sally Robbins]

Summary

The application is recommended for approval.

Site Description

The application site is located in a residential area of the town of Tring. The site comprises a two storey semi-detached dwellinghouse with an attached single storey flat roofed garage, which connects to the neighbouring garage. The house is composed of painted render, red brick and concrete tiles with white UPVC windows. To the front of the property is a paved driveway that would sufficiently accommodate two cars. To the rear of the property is an existing single storey rear extension (conservatory) with painted rendered walls, white UPVC windows and doors and polycarbonate sheet roofing measuring 4.95m deep, 6m wide and 3m high. The property is set in a generous sized plot with a large elongated rear garden. The immediate streetscene is of similarly sized but individually styled semi-detached dwellinghouses with varying degrees of extensions or alterations.

Proposal

The application seeks full planning permission for the demolition of the existing garage and rear conservatory followed by the construction of a two storey side extension and part two storey and single storey rear extension. The proposed single storey element, on the northeast attached side of the property, will have a false pitched roof and will project from the original rear wall by 4.95m with a ridge height of 3.5m and an eaves height of 2.5m. The two storey element will project from the side of the property by 3m and from the rear of the property by 3.5m. To the front of the proposal includes a store room with garage door on the ground floor and a window on the first floor. On the southwest side of the proposed extension a gap of 1m will be left between the proposed and the neighbouring garage wall. A window and door will be added to the ground floor as well as a window and a roof light on the second floor. To the rear the proposed extension includes bi-fold doors on the ground floor opening onto the garden and a window on the first floor.

Referral to Committee

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

Planning History

4/01695/99/4	SINGLE STOREY REAR EXTENSION
	Granted
	11/11/1999

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)

Adopted Core Strategy

CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design

Saved Policies of the Dacorum Borough Local Plan

Appendices 3, 5 & 7

Supplementary Planning Guidance / Documents

Area Based Policies (May 2004) - Residential Character Area [TCA5 Christchurch Road and Dundale Road]

Summary of Representations

Tring Town Council

Recommend refusal of this application on the following grounds:

1. The two storey side and rear extension will cause overshadowing of the neighbouring property
2. The single storey rear extension with tiled roof will be visually intrusive causing loss of amenity to the neighbouring property.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

27 Windmill Way - Objections

- Proposed rear extension already extending almost 1m beyond 4m legally permitted
- Legislation prevents building in excess of 4m beyond the rear wall of an attached house
- Since demolition is proposed we now require the new footings to be extending no further than 4m from main house wall
- The proposed single storey will be higher and tiled this time increasing our concern regarding our light provision. The "building line" between numbers 23 and 29 is also exceeded by this approximately 1m

13/01/2017

Considerations

Policy and Principle

The application site is located in a residential area of Tring. Core Strategy (2013) Policy CS4 states that appropriate residential development is acceptable in towns and large villages 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 of the parent dwelling, the streetscene and residential amenity of neighbouring properties.

Effects on appearance of building

Saved appendix 7 of the Dacorum Local Plan (2004), 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. TCA5 relates to the Christchurch Road and

Dundale Road area and states that extensions should normally be subordinate in terms of scale to the parent dwelling.

The proposed extension projects 3m from the side of the house, to provide a 1m separation between the southwest flank elevation and the boundary. The two storey element will project from the rear of the house by 3.5m and the single storey element by 4.95m. Looking at the front of the property the proposed two storey side extension would be an addition of one storey above the garage and would therefore add vertical bulk and mass to the front elevation. However, the ridge of the extension would be set down in relation to the main ridge of the property and set back by a maximum of 1.5m from the main front elevation.

In accordance with the submitted application the proposed extension would be composed of materials to match the parent dwelling including plain concrete roof tiles, painted render, UPVC windows and an up and over garage door. To the rear the single storey element of the proposed extension would consist of a flat roof behind a false pitch and would have bi-fold doors opening out on to the rear garden. The proposed build and form of the extension is considered to respect the overall design, scale and bulk of the parent dwelling and therefore not considered to be visually intrusive or harmful to the character and appearance of the dwelling. The proposal therefore coheres with the NPPF (2012) and is in accordance with policies CS11 and CS12 of the Core Strategy (2013) and saved appendix 7 of the Dacorum Local Plan (2004).

Impact on Street Scene

The two storey element of the proposed extension would be set back from the front elevation and the ridge height would be lower than the main ridge of the parent dwelling. The proposed extension would be set away from the neighbouring property by 1m, avoiding a terracing effect, and would therefore have a minimal impact when viewed from the street. It is noted that there are a number of two storey side extensions in the immediate streetscene, therefore the proposed extension would harmonise with surrounding properties.

Impact on Neighbours

There has been an objection from number 27 Windmill Way, the attached neighbours of the semi-detached to the northeast. The objections relate to:

- Lawfulness of existing rear extension (conservatory)
- Concerns that the proposal will project out further than 4m from the original rear wall
- Light provision

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 (2004) 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 of visual intrusion, loss of light and privacy. Moreover, Saved Appendix 7 of the Local Plan advises that two storey extensions should be set within a line drawn at 45 degrees from the nearest neighbouring habitable window.

Considering the neighbours of the attached semi-detached to the northeast, at number 27 Windmill Way, the two storey element of the proposal will not have a significant impact on the light provision or privacy of this property as it is at the distal end of the proposed site situated 4.5m from the boundary. Turning to the single storey element of the proposal, it would have a false pitched roof with an eaves height of 2.5m and a ridge height of 3.5m. The existing conservatory has an eaves height of 2.5m and a ridge height of 3m. The single storey element would project out from the rear wall of the original house by 4.95m, which is the same as the

existing conservatory. Due to the above and the fact that the northeast boundary of the property is bordered at the nearest end to the house by a 1.5-1.8m wooden fence and vegetation, it is not considered that the proposed extension will have a significant impact on neighbouring daylight provision or privacy and would not appear visually intrusive. As such Tring Town Council's objection stating that the single storey rear extension with tiled roof would be visually intrusive causing loss of amenity to the neighbouring property could not be sustained.

Concerns have been raised regarding the lawfulness of the existing single storey rear extension and the fact that it extends beyond the rear of the original property by more than 4m. Development is not permitted by Class A under The Town and Country Planning (General Permitted Development) (England) Order 2015 if the enlarged part of the dwellinghouse would have a single storey and (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height. However the existing conservatory was not constructed under 'Permitted Development' but was granted full planning permission in 1999 (application number 4/01695/99/4), therefore has been lawfully built.

Considering the neighbours on the southwest side of the proposed site, the existing property currently shares a garage wall with number 23 Windmill Way, which is set at a slightly higher level than the proposal site, at approximately 0.5m higher. The proposal includes the demolition of the garage and the construction of a two storey side extension, which will be set back from the boundary by 1m.

There are no ground floor windows facing the proposal site in the neighbouring property at number 23. There are two first floor windows that face the proposed extension, one towards the front of the property and one in the middle. The window towards the front of the neighbouring property is believed to serve a bedroom, which is considered a habitable room. However, it is believed that the room has two windows, including a larger one that faces towards the front of the property so it is considered that the proposed extension would not have a significant impact on light provision to this room. The first floor window towards the middle of the neighbouring is believed to serve the hallway, which is not considered a habitable room, therefore any impact on loss of light or privacy will be limited. The proposed extension will project out further than the neighbouring property's ground floor rear wall by 0.75m, and as such will not have a significant impact on the light provision or privacy to the ground floor rooms. Considering the first floor rooms of this neighbouring property the proposed second storey element will project out further than the neighbour's by 3m. However the proposal would clear a line drawn at 45 degrees from the centre of the nearest neighbouring window on the first floor. Due to the above mentioned reasons it is considered that Tring Town Council's objection relating to the possible overshadowing of the neighbouring property caused by the two storey side and rear extension could not be sustained.

The proposal does include the addition of a side window on the southwest elevation that will face the hallway window of the neighbouring property. However as there is an existing window on this elevation it is not considered that the new window, although 3m closer to the neighbouring property, will have a significant impact on the privacy of the neighbouring property owing to the fact that it faces a non-habitable room.

The rear garden of the proposal site backs on to several rear gardens of neighbouring properties, therefore the proposed extension will be visible from these properties. However, due to the large elongated gardens, these neighbouring properties are situated at a distance of approximately 50m so the proposed extension would have a limited impact on the privacy of these properties and would not appear visually intrusive.

The proposed extension would not have a significant impact upon the residential amenity, daylight provision or 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 (2004) and Policy CS12 of the Core Strategy (2013).

Impact on Trees and Landscaping

No trees are affected by the proposal.

Other Material Planning Considerations

The proposal includes the addition of one bedroom, taking the property from a three to a four bedroom property. The Council's Parking guidelines within Saved Appendix 5 of the Local Plan (2004) 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 proposal includes the conversion of the garage to living accommodation, however in accordance with the submitted plans the proposal includes the enlargement of the parking area to the front of the property to accommodate three cars. Subsequently, it is considered that the proposal would have a neutral impact on local parking provision and it is not considered that the proposal would impact upon 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 (2004) in this regard.

Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is not CIL Liabe due to it resulting in less than 100m2 of additional floor space.

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 (2004), 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:**

MD 1515 02 PL

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

Article 35

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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.