

PART A	
Report of: Head of Development Management	
Date of committee:	1st September 2016
Site address:	11 The Pippins
Reference Number:	16/00777/FULH
Description of Development:	Loft conversion involving construction of dormer on rear roofslope and installation of rooflight windows on front roofslope
Applicant:	Mr & Mrs Templeton
Date Received:	7th June 2016
8 week date (minor):	2nd August 2016
Agreed extended date:	2nd September 2016
Ward:	Stanborough

1.0 Site and Surroundings

- 1.1 This application relates to a modern, two storey, detached dwelling located within a primarily residential area in Garston. The property sits within a rectangular plot measuring approximately 280m² in area.
- 1.2 The property occupies the westernmost plot of a cul-de-sac development, known as The Pippins, which consists of 11 properties in total. The Pippins development occupies land which had previously formed parts of the rear gardens associated with the residential properties that lie to the northeast (Nos 3, 5, 7, 9, 11, 13, 15 and 17 Garston Drive). The houses within the Pippins are arranged in a linear configuration along the cul-de-sac road which runs in front of them. They run parallel to those houses on Garston Drive to the northeast and Rother Close to the southwest.
- 1.3 Those properties at 1-6 The Pippins formed the original 'backland' development having gained planning permission in January 2000 (Ref. 99/00017/FUL). The properties at 7-11 The Pippins have been built more recently than those at No. 1-6, having gained planning permission in July 2009 (Ref. 09/00359/FUL).
- 1.4 The subject property features a two storey projecting element on the western side of its front elevation. This features a gable end. At the rear of the property, a conservatory has been added and this spans the entire width of the house.

- 1.5 In front of the house, there is a block-paved driveway which provides on-site parking for the occupiers of the property.
- 1.6 The Pippins is an unclassified no-through road which is accessed off Garston Drive.
- 1.7 The subject property does not encompass any listed buildings and is not located within a Conservation Area.



Fig. 1. Aerial view of site.

2.0 Proposed Development

- 2.1 The application proposes the construction of a dormer on the rear roofslope of the house and the installation of three rooflight windows on the front roofslope so as to facilitate a loft conversion. The loft area will be used as a bedroom.
- 2.2 The proposed dormer will occupy a central position on the rear roofslope and will incorporate two window openings and a flat roof. The dormer will measure 3.75 metres wide and 1.65 metres tall externally. The external wall surfaces of the dormer will be finished with hanging tiles.
- 2.3 The proposed rooflights will be installed horizontally aligned with each other across the front roofslope. They will have a cill height of 1.7 metres above the internal floor level.

3.0 Relevant Planning History

Relevant planning history for land to the rear of 1-9 Garston Drive

- 3.1 Ref. 99/00017/FUL – Demolition of 1 Garston Drive, formation of new access road and erection of 6 detached houses within rear garden area – Conditional Planning Permission granted in January 2000.

Relevant planning history for land to the rear of 11-17 Garston Drive

- 3.2 Ref. 09/00359/FUL – Erection of 5 no. 4 bedroom dwellings – Conditional Planning Permission granted in July 2009.
- 3.3 Condition 5 of permission 09/00359/FUL removes certain permitted development rights for the property including those relating to roof additions such as the construction of dormers (Class B) and roof alterations such as the installation of rooflights (Class C).
- 3.4 Condition 5 of permission 09/00359/FUL is set out below:

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any modification or re-enactment thereof), no development permitted under Schedule 2, Part 1, Classes A, B, C, E, and G of the Order shall be carried out to the dwellings hereby approved without the prior written permission of the Local Planning Authority.

Reason: To enable the Local Planning Authority to ensure that any such developments are carried out in a manner which will not be harmful to the character and appearance of the proposed development and will not prove detrimental to the amenities of adjoining occupiers and having regard to the availability of amenity space for the dwellings in accordance with Policies H8 and U2 of the Watford District Plan 2000.

Relevant planning history for 11 The Pippins

- 3.5 Ref. 13/00662/FULH – Erection of a rear conservatory – application withdrawn in July 2013.
- 3.6 Ref. 13/00861/FULH – Erection of single storey rear conservatory – Conditional Planning Permission granted in September 2013.

3.7 Ref. 16/00319/LDC – Lawful Development Certificate for loft conversion with rear dormer – Lawful Development Certificate refused in April 2016 for the following reason:

1. *The proposed roof alteration and extension would not constitute permitted development by the virtue of Class B of the Town and Country Planning (General Permitted Development (England) Order 2015 (as amended) because at time of granting planning permission (Ref;09/00359/FUL) in 2009, for the erection of the existing house as part of a group of 5 houses a condition was imposed which removed the relevant Permitted Development Rights from the building.*

4.0 Planning Policies

4.1 Development Plan

In accordance with s.38 of the Planning and Compulsory Purchase Act 2004, the Development Plan for Watford comprises:

- (a) *Watford Local Plan Core Strategy 2006-31;*
- (b) *the continuing “saved” policies of the Watford District Plan 2000;*
- (c) *the Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026; and*
- (d) *the Hertfordshire Minerals Local Plan Review 2002-2016.*

4.2 The *Watford Local Plan Core Strategy 2006-31* was adopted in January 2013. The *Core Strategy* policies, together with the “saved policies” of the *Watford District Plan 2000* (adopted December 2003), constitute the “development plan” policies which, together with any relevant policies from the County Council’s *Waste Core Strategy* and the *Minerals Local Plan*, must be afforded considerable weight in decision making on planning applications. The following policies are relevant to this application.

4.3 Watford Local Plan Core Strategy 2006-31

WBC1 Presumption in favour of sustainable development
SS1 Spatial Strategy
SD1 Sustainable Design
UD1 Delivering High Quality Design

4.4 Watford District Plan 2000 (saved policies)

No relevant policies.

4.5 **Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026**

No relevant policies.

4.6 **Hertfordshire Minerals Local Plan Review 2002-2016**

No relevant policies.

4.7 **Supplementary Planning Documents**

The following Supplementary Planning Documents are relevant to the determination of this application, and must be taken into account as a material planning consideration.

4.7.1 *Residential Design Guide*

The Residential Design Guide (RDG) was adopted in July 2014. It provides a robust set of design principles to assist in the creation and preservation of high quality residential environments in the Borough which will apply to proposals ranging from extensions to dwellings to new individual dwellings and large-scale, mixed-use, town centre redevelopment schemes. The guide is a material consideration in the determination of relevant planning applications.

4.7.2 *Watford Character of Area Study*

The Watford Character of Area Study was adopted in December 2011. It is a spatial study of the Borough based on broad historical character types. The study sets out the characteristics of each individual character area in the Borough, including green spaces. It is capable of constituting a material consideration in the determination of relevant planning applications.

4.8 **National Planning Policy Framework**

The National Planning Policy Framework sets out the Government's planning policies for England. The following provisions are relevant to the determination of this application, and must be taken into account as a material planning consideration:

Achieving sustainable development

The presumption in favour of sustainable development

Core planning principles

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Decision taking

5.0 Consultations

5.1 Neighbour consultations

Letters were sent to properties in Garston Drive, The Pippins and Rother Close.

5.2 The following is a summary of the representations that have been received:

Number of original notifications:	8
Number of objections:	6
Number in support:	0
Number neither objecting nor supporting	1
Number of representations:	7

5.3 The points that have been raised are summarised below and are considered in the “Appraisal” section of the report.

- The house is tall compared to all the surrounding houses and a further extension to this house is to the detriment of people in the immediate area.
- Overlooking and loss of privacy.
- The residents in Rother Close are still trying to grow trees/shrubs to hide the ground and first floor windows of The Pippins let alone the ones in the roof.
- No indication as to what this loft is going to be used for.
- How would access be gained for construction?
- Disruption caused to neighbours whilst works take place.
- Affect value of neighbouring property.
- Impact on outlook.
- The dormer windows will have an adverse effect on the character of the local area.
- Impact on streetscene – no other dormer windows in immediate area.
- Could set a precedent.
- A loft conversion such as this making a possible further two bedrooms could create the need for more parking which is not possible on this constrained site.
- Rooflight windows should be either opaque or frosted glass in order that at no future date they can overlook the neighbouring property.
- On the application form they have said that there are no trees or hedges,

- however, there is a one tree fully grown.
- In section 10 of the application form (site visit) it states that the property can't be seen from a public road or other public land but you can clearly see it from Severn Way and Rother Close.

5.4 The Committee will be advised of any additional representations received after the date this report was written.

6.0 Appraisal

6.1 Main issues

The main issues to be considered in the determination of this application are:

- (a) Design, appearance and the impact on visual amenity.
- (b) Impact on amenity of surrounding residential properties.
- (c) Consideration of objections.

6.2 (a) Design, appearance and the impact on visual amenity.

Background information

6.3 In many cases, householders are able to carry out works to the roofs of their houses, such as constructing rear dormers and installing rooflight windows, without the need to have to apply for planning permission (subject to meeting certain conditions and limitations) under 'permitted development rights'. These permitted development rights are set out in the Town and Country Planning (General Permitted Development) Order 2015, as amended. In this particular case, however, the permitted development rights allowing roof additions and roof alterations at this property have been removed by a condition attached to the planning permission associated with the original construction of the property (Condition 5 of planning permission 09/00359/FUL – see "Planning History" section above). As such, planning permission is required for the proposed works.

6.4 The Council is required to review proposals that require planning permission against its planning policies and supplementary planning guidance. The Council's supplementary planning guidance document entitled the "Residential Design Guide" (RDG) provides advice on additions and alterations to roofs.

Rear dormer

- 6.5 Section 8.12 of the RDG advises that a dormer must be in proportion to the size of the original roof. It further advises that a dormer should not exceed half the height of the roof (measured from eaves to ridge) and should not be more than half the width of the roof on which it is intended to be situated.
- 6.6 According to the details provided on the submitted drawings, the height of the dormer will be 1.65 metres and this will not exceed half the height of the roof which is 3.5 metres. In addition, the width of the dormer, at 3.75 metres, will also not exceed half the width of the roof on which it is planned to sit – which, incidentally, measures 7.5 metres wide.
- 6.7 The guidance contained within the RDG also advises that a dormer should be positioned a minimum 0.5 metres above the eaves lines and set down a minimum of 0.5 metres from the ridge of the roof. In this case, the proposed dormer will be positioned more than 0.5 metres from both the eaves and ridge lines in accordance with the guidance.
- 6.8 The proposed dormer will be positioned centrally on the rear roofslope and will therefore be set in by the same distance from the edge of the roof on either side. While the windows within the dormer will not be vertically aligned with the first floor windows beneath them, it is felt that the dormer will have a suitable relationship with these openings and will not significantly upset the elevational character of the rear of the property. The central position that the dormer will occupy will help ensure that visual balance at the rear of the property is maintained.
- 6.9 The external wall surfaces of the dormer will be finished with plain tiles that will have a similar appearance to those used on the main roof of the house. In addition, the new windows within the dormer will feature white UPVC framing so as to match those within the host building. It is considered that the use of such materials is acceptable and will ensure that the dormer integrates suitably with the property.
- 6.10 It is considered that the dormer will appear proportionate with the scale of the roof and will cause no harm to the character and appearance of the property or the wider visual amenity of the area.
- 6.11 The proposed dormer will be constructed on the rear roofslope and will not have any strong visual presence on the streetscene given its siting. It is accepted that views of the dormer may be glimpsed from parts of Rother Close through the

gaps that exist between buildings. However, given that the dormer will be setback over 45 metres from Rother Close, and taking into account its fairly modest proportions, it is felt that this addition will not appear unduly prominent from the public realm. Similarly, while the dormer will be visible from surrounding properties including their gardens, it will not have any overbearing impact on these properties given its proportions.

- 6.12 It is acknowledged that there is currently no strong established character of rear dormers within the immediate surrounding area. However, the property is not located within a Conservation Area where there is a presumption to preserve character. The lack of dormers on surrounding properties does not, in itself, preclude any developments of this kind from taking place in the area where they can meet the design aims of the RDG. The surrounding properties, while of a varied form and architecture, are typical of suburban housing and can accommodate some modifications and extensions without harm being caused to their overall appearance or the character of the area. The RDG has been adopted so that it can be applied to schemes such as this. The proposed dormer falls within the size parameters set out by the RDG and is compliant therefore with the planning guidance in this case.

Front rooflight windows

- 6.13 A total of three rooflight windows will be inserted in the main front roofslope of the house. These will be positioned in a row so that they are aligned horizontally with each other. It is acknowledged that the spacing between the rooflight windows is not regular and that if this spacing was made to be more uniform then a more aesthetically pleasing appearance could be achieved. However, notwithstanding this, it is felt that while a regular spaced arrangement is desirable, there would be no strong planning grounds to require this as the proposed configuration will not result in any significant harm to the overall appearance of the property. It is also acknowledged that the siting of the rooflight windows is determined, to an extent, by the position of the rafters and the internal configuration of the stairs and other fixtures.

6.14 (b) Impact on amenity of surrounding residential properties

- 6.15 It is considered that the proposed development will cause no significant harm to the amenities of neighbours, in accordance with the provisions of the RDG and the objectives of Policy SS1 of the Watford Local Plan Core Strategy 2006-31 and paragraph 17 of the NPPF.

- 6.16 The dormer extension and rooflights will result in no significant loss of light or outlook to neighbouring properties by reason of their size and siting.
- 6.17 The proposed dormer would incorporate windows in its rear elevation only. It is acknowledged that views could be afforded from the windows within the dormer into neighbouring gardens, however, this would not be to an extent that would significantly reduce levels of privacy for neighbours and therefore warrant a refusal of the application on these grounds.
- 6.18 Section 8.4.7 of the RDG advises that “a minimum direct distance between upper level habitable rooms on a side or rear elevation and property boundaries of 11m should be achieved in order to minimise overlooking of private gardens”. It also advises that a minimum distance of 27.5 metres should be provided between new upper level windows and the windows of neighbouring properties. The windows within the proposed dormer will be sited both more than 11 metres from the rear boundary of the site (at over 17 metres) and more than 27.5 metres from the main rear elevations of the nearest properties to the rear (at over 28 metres). The proposal will therefore comply with the separation distances set out by the RDG and it is considered that the privacy of neighbours will not be detrimentally affected by the proposed dormer.
- 6.19 Some overlooking is to be expected in urban environments such as this and the first floor windows on the rear elevation of the existing building currently allow views to be afforded into neighbouring gardens from a closer range than those that would be afforded from the dormer. The dormer would not therefore result in any significant increase in overlooking into neighbouring properties.
- 6.20 The proposed rooflight windows will be sited only 8 metres from the boundary shared with the rear garden of 17 Garston Drive. According to the proposed section drawing, included on Drawing No. 1232/10-15 Sheet 1 of 2 Rev 1, the opening parts of the rooflight windows will be installed at a minimum height of 1.7 metres above the internal floor levels of the rooms that they will serve. By reason of their height, it is felt that these rooflight windows will not offer any significant views towards neighbouring properties. Moreover, the first floor windows on the front elevation of the existing building currently allow views to be afforded into neighbouring gardens from a closer range than those that would be afforded from the rooflights.
- 6.21 (c) Consideration of objections

6.22 Seven representations from neighbouring properties have been received. Some of the issues raised by the objectors have been discussed in the 'Appraisal' section of the report above. Those matters which have not already been discussed or which require further elaboration are considered in the table below.

Representations	Officer's response
The house is tall compared to all the surrounding houses and a further extension to this house is to the detriment of people in the immediate area.	The house has a similar height to the other properties it sits nearest to. It has a ridge height of 8.5m which is not exceptionally high for a detached building such as this. In any case, the proposal does not seek to increase the height of the property.
The residents in Rother Close are still trying to grow trees/shrubs to hide the ground and first floor windows of The Pippins let alone the ones in the roof.	The impact of the development on views from neighbouring properties is not a material planning consideration. The proposal complies with the privacy separation distances set out within the RDG as discussed in the "Impact on amenity of surrounding residential properties" section above.
No indication as to what this loft is going to be used for.	The agent has amended the drawing during the course of the application to include a comment to show that the new room will be used as a bedroom as part of the house.
How would access be gained for construction?	This is not a material planning consideration.
Disruption caused to neighbours whilst works take place.	The proposed development is of a fairly small-scale nature. It is not anticipated that the works would take an extensive period of time to be carried out. Additionally, the construction works will not require the use of any large-

	<p>scale machinery. As such, disruption is unlikely to be significant. The developer will need to comply with the provisions of The Control of Pollution Act 1974, The Health and Safety at Work Act 1974, The Clean Air Act 1993 and The Environmental Protection Act 1990 in terms of construction noise. They will be advised of these duties by way of an informative note attached to the permission (see Informative note numbered "4" in the "Recommendations" section below).</p>
<p>Affect value of neighbouring property.</p>	<p>This is not a material planning consideration.</p>
<p>Could set a precedent.</p>	<p>The proposal has been considered on its own planning merits taking into account the individual physical characteristics of the site and its relationship with neighbouring properties. Any similar proposals at other properties would not automatically be allowed were this application to be approved. Instead they would need to be considered on their own merits taking into account the individual circumstances applicable to that particular proposal.</p>
<p>A loft conversion such as this making a possible further two bedrooms could create the need for more parking which is not possible on this constrained site.</p>	<p>The submitted plans show the scheme will allow the addition of a further bedroom. It is considered that this will not result in a material increase in demand for on-site parking as the property will remain in use as a single family dwellinghouse. The existing on-site parking provision will remain</p>

	unaffected by the scheme.
On the application form they [the applicant/agent] have said that there are no trees or hedges, however, there is a one tree fully grown.	The proposed works will be carried out to the roof of the property and will not have any impact on surrounding trees.
In section 10 of the application form (site visit) it states that the property can't be seen from a public road or other public land but you can clearly see it from Severn Way and Rother Close.	<p>Section 10 of the application form asks "Can the site be seen from a public road, public footpath, bridleway or other public land?". This question is designed for the purposes of allowing the Local Planning Authority to establish if an appointment is required in order to conduct a site visit. In this case, the full extent of the property could not be viewed from public land and the case officer was required to enter the site on their visit.</p> <p>The impact of the development on visual amenity is discussed in the "Design, appearance and the impact on visual amenity" section above.</p>

6.23 The Committee will be advised of any additional representations received after the date this report was written.

7.0 Community Infrastructure Levy

7.1 Community Infrastructure Levy (CIL)

7.2 The gross internal area of the proposed extension is less than 100 square metres and therefore the development is not CIL liable.

8.0 Conclusion

8.1 It is considered that the proposed works will cause no significant harm to the

character or appearance of the property, the streetscene or the amenities of neighbours. As such, the proposed development is considered acceptable.

9.0 Human Rights Implications

9.1 The Local Planning Authority is justified in interfering with the applicant's human rights in order to alleviate any adverse effect on adjoining properties and their occupiers and on general public amenity. With regard to any infringement of third party human rights, these are not considered to be of such a nature and degree as to override the human rights of the applicant and therefore warrant refusal of planning permission.

10.0 Recommendation

10.1 That planning permission be granted subject to the conditions listed below:

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the following approved drawings: 1232/10 - 15 Sheet 1 of 2 Rev 1 – amended plan received 27.07.16; 1232/10 - 15 Sheet 2 of 2 Rev 1 – amended plan received 27.07.16.

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

3. The external wall surfaces of the dormer shall be finished in materials that have a similar appearance to those used on the existing building. In the event of materials of a similar appearance not being available, details of any alternative materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the development shall only be carried out in accordance with any alternative details approved by this condition.

Reason: To ensure that the development applies high quality materials that make a positive contribution to the character and appearance of the area in accordance with the provisions of the Residential Design Guide (RDG) and Policy UD1 of the Watford Local Plan Core Strategy 2006-31.

10.2 Informatives

1. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. This planning permission does not remove the need to obtain any separate consent of the owner of the adjoining property prior to commencing building works on, under, above or immediately adjacent to their property (e.g. foundations or guttering). The Party Wall Etc Act 1996 contains requirements to serve notice on adjoining owners of property under certain circumstances, and a procedure exists for resolving disputes. This is a matter of civil law between the two parties, and the Local Planning Authority are not involved in such matters. A free guide called "The Party Wall Etc Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government at [https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393927/Party Wall etc Act 1996 - Explanatory Booklet.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/393927/Party_Wall_etc_Act_1996_-_Explanatory_Booklet.pdf)
3. This permission does not remove the need to obtain any separate consent, which may be required under the Buildings Act 1984 or other building control legislation. Nor does it override any private rights which any person may have relating to the land affected by this decision.

To find out more information and for advice as to whether a Building Regulations application will be required please visit www.watfordbuildingcontrol.com.

4. You are advised of the need to comply with the provisions of The Control of Pollution Act 1974, The Health and Safety at Work Act 1974, The Clean Air Act 1993 and The Environmental Protection Act 1990.

In order to minimise impact of noise, any works associated with the development which are audible at the site boundary should be restricted to the following hours:

Monday to Friday 8am to 6pm

Saturdays 8am to 1pm

Noisy work is prohibited on Sundays and bank holidays

Instructions should be given to ensure that vehicles and plant entering and leaving the site comply with the stated hours of work.

Further details for both the applicant and those potentially affected by construction noise can be found on the Council's website at: https://www.watford.gov.uk/info/20010/your_environment/188/neighbour_complaints_%E2%80%93%93_construction_noise

Drawing numbers

1232/10 - 15 Sheet 1 of 2 Rev 1 – amended plan received 27.07.16

1232/10 - 15 Sheet 2 of 2 Rev 1 – amended plan received 27.07.16

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