

Committee date	9 th January 2019
Application reference	18/01303/FULH
Site address	102 Ridge Lane
Proposal	Erection of a two storey side and rear extension and single storey rear extension.
Applicant	Mr S Ellis
Agent	Worth Planning And Design Ltd
Type of Application	Householder planning application
Reason for committee item	Over 4 objections have been received.
Target decision date	21.12.2018
Statutory publicity	Not required
Case officer	Alice Reade alice.reamde@watford.gov.uk
Ward	Nascot

1. Recommendation

Approve subject to conditions as set out in section 8 of this report.

2. Site and surroundings

- 2.1 The building is a detached two storey house with main hipped roof and a cat slide roof in north elevation. There are no previous extensions.
- 2.2 No 104 is to the north and has a stepped relationship with No102. No102 is positioned deeper to the rear than its neighbour No104. No 100 is to the south of No102 and has a level rear original building line.
- 2.3 The report for the previous application ref 18/00659/FULH found the relative depth of the rear of the two existing houses at No102 and 104 to be approximately 1m. More detailed measurement has confirmed this as 0.8m.
- 2.4 No 104 is positioned on ground level of approximately 0.6m higher than the application property at No102. No104 has its principle habitable room windows on its front and rear elevations.
- 2.5 The site is not within a conservation area and does not encompass any listed buildings.

Further information is available in the appendices to the report and on our [website](#).

3 Summary of the proposal

3.1 Proposal

Wrap around extension to include:

- First floor side extension in cat slide roof
- Two storey side/rear extension to 2.8m depth beyond original rear wall at first floor level
- Single storey rear extension to depth of 3.75m.

3.2 The development has been amended from the previous application and amended twice during the course of the application to reduce the first floor depth at the request of the case officer. The ground floor depth was also increased to the applicant's requirements. The summary of revisions is detailed in the table below:

Scheme revision	Rear extension depth proposed	Comments
WPD-008-18-2 (First application)	4m deep two storey rear extension	Refused due to unacceptable relationship with No104.
WPD-008-18-2 Rev A (First revision for this application)	3.55m deep two storey rear extension	Complied with the 45 degree line on plan however relative depth was overbearing.
WPD-008-18-2 Rev B	3.55m at ground floor, 3m at first floor	The relative depth of first floor extension to No104 would be 3.8m and is of concern.
WPD-008-18-2 Rev C (Under consideration)	3.75m at ground floor, 2.8m at first floor.	Amended to case officer's requested depth following site visit.

3.3 Conclusion

The scale and design of the extensions are fully appropriate for the house and streetscene and would be fully in accordance with sections 8.2, 8.3, 8.5 and 8.8 of the RDG. The scheme is revised to overcome the unreasonable harm to the neighbour No104 that would have been caused by the previously refused application ref 18/00659/FULH.

3.4 The depth of the rear extensions has been substantially reduced. Taking into account the stepped position of the two properties and the ground level

change between them, the extensions would now have an acceptable relationship with the neighbouring property No104.

- 3.5 The first floor of the extensions would fall generously short of the 45 degree lines taken on plan and elevation from the nearest rear window of No104. This is fully in accordance with section 8.4 of the RDG and confirms that the extensions would not create unreasonable loss of light or outlook to the windows of No104.
- 3.6 The proposed extension depth of 2.8m at first floor would have a relative depth to No104 of 3.6m. This is in excess of the 3m guidance for a first floor extension however, the additional 60cm relative depth is offset by the 60cm ground level change. The relative depths of the extensions are therefore acceptable in respect of the step between the properties, the ground level changes and the gaps between the properties, in accordance with the RDG guidance. The extensions are also inset 1.5m from the boundary with No104 which is in excess of the 1m set in guidance. The depth, height and position of the extensions would therefore not result in a harmful overbearing or overshadowing impact to this neighbour.
- 3.7 The objection to the previous application has therefore been fully overcome. The extensions proposed are now therefore fully acceptable and allow the applicant a reasonable degree of extensions without create unreasonable harm to the neighbouring property.

4. Main relevant policies

Members should refer to the background papers attached to the agenda. These highlight the policy framework under which this application was determined. Specific policy considerations with regard to this particular application are detailed in section 6 below.

5. Relevant site history/background information

- 5.1 18/00659/FULH Two storey side and rear extension and single storey rear extension. Refused planning permission. Reason
- 1. By virtue of the relative depth and bulk of the two storey extension, the development would unacceptably harm the amenities of the neighbouring occupiers at No104 Ridge Lane. The two storey extension would have a relative depth of 5m from the rear of No104 and would infringe the 45 degree line taken on plan from the centre of the nearest ground floor window of No104. This relationship is contrary to guidance of section 8.4 of*

the Residential Design Guide 2016 and would result in unacceptable loss of daylight and outlook to the house at No104. The 5m relative depth of the two storey extension and its position to the south of No104 would also result in an unacceptable overbearing and overshadowing impact to the rear garden area of No104. As such, the proposed development would adversely affect the residential amenities of the neighbouring occupiers, contrary to Policies SS1 and UD1 of the Watford Local Plan Part 1 Core Strategy 2006-31 and sections 8.4 and 8.5 of the Residential Design Guide 2016.

6 Main considerations

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

- (a) Scale and design
- (b) Impact on surrounding properties.

6.1 (a) Scale and design

The scale and design of the extensions are fully acceptable. The rear extension depths of 2.8m first floor and 3.75m at ground floor, are fully compliant with Residential Design Guide 2016 (RDG) in respect of design. The first floor side extension is well set back from the front of the house, it retains a gap of over 1m to the side boundary and includes a subordinate roof design.

6.2 The extensions would be of a scale and design appropriate for the house and streetscene and would be fully in accordance with sections 8.2, 8.3, 8.5 and 8.8 of the RDG.

6.3 (b) Impact on surrounding properties

The RDG states that an extension must not adversely affect the level of amenity enjoyed by the occupiers of neighbouring properties. This is balanced against the right for home owners/occupiers to reasonably extend their homes. Section 8.4 sets guidance to determine appropriate relationships between extensions and neighbouring properties to provide guidance on reasonable extensions and avoid unreasonable harm to neighbouring amenities.

6.4 *Impact to No104 Ridge Lane*

The previous application (extension depth 4m) was refused due to an unacceptable impact to the light and outlook of the rear windows of No104 and an overbearing and overshadowing impact to its garden.

6.5 In respect of light and outlook, the RDG guidance is based on The Building Research Establishment (BRE) guidelines "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" (2011) which provides guidance on

avoiding unacceptable impacts and sets out non-mandatory targets for levels of daylight and sunlight within existing and proposed development.

- 6.6 Section 8.4.3 of the RDG sets a key tool of the 45 degree line rule (section 8.4.3) which seeks to maintain a 45 degree line relationship between the habitable room windows of the neighbours and an extension. The first floor of the proposed extensions would not infringe the 45 degree lines taken on plan or elevation from the centre of the nearest windows of No104 and this is fully compliant with the RDG. Indeed the first floor extension is notably short of the 45 degree lines on both plan and elevation. The proposed extensions would therefore not unreasonably reduce the light, sunlight or outlook of the rear windows of No104.
- 6.7 As well as light and outlook to windows, the RDG also states that an extension should not unreasonably increase in the “sense of enclosure” experienced within a garden or unreasonably reduce the sunlight to a garden. The height, depth, proximity and depth of an extension, adjacent to a neighbour, can result in an overbearing and/or overshadowing impact to the neighbours when in their garden, undermining the enjoyment of the property.
- 6.8 The majority of the proposed two storey extension is to the side of No102 and will be adjacent to the side of No104. This would not create notable or unreasonable harm to the flank of No104. The projection of the extensions beyond the rear wall of No104 and the potential impact to the amenity of the rear garden of the property needs to be considered.
- 6.9 The RDG considers the potential impact for dominance and overshadowing to neighbours in its guidance for appropriate depths for rear extensions set out in sections 8.5.1 and 8.5.2. It states that extensions of 4m a ground floor and 3m at first floor are generally reasonable however in some instances these can be too deep:
- where houses are “stepped” and sit behind their neighbours;
 - there are significant changes in level, namely where the property is at a higher level than its neighbour;
 - they are too bulky and prominent compared to the size of houses and gardens to which they relate; or,
 - where compliance with the “45° rule” is not achieved.
- 6.10 In this instance there is both a step in the building line which increases potential impact as well as a significant ground level change that reduces potential impact. Both these factors are therefore relevant in the consideration of an appropriate depth.

- 6.11 The step in the building line creates a difference in depth of 80cm. Assuming level ground levels, a two storey extension depth of 2.2m would have a relative depth of 3m to No104 and would be compliant with the RDG depth guidance.
- 6.12 There is however a significant ground level change which puts No102 60cm lower than No104. This will significantly reduce the area of flank wall as seen to No104 and it is considered reasonable for this to be added as additional depth without creating unreasonable harm. This therefore means that the 60cm ground level change is offset by the 60cm of additional relative depth beyond the 3m guidance. The proposed relative depth of the extension to No104 of 3.6m is therefore considered to be equivalent to a RDG compliant relationship that would not result in an unreasonable degree of overbearing, dominance or overshadowing to No104.
- 6.13 The orientation of the proposed extension is also of consideration in respect of an overshadowing impact. The extension is positioned due south of the rear garden of No104. The first floor of the extension at No102 will reduce some direct sunlight to this area however due to the ground level change and the reasonable relative depth, it is not considered that this would be unreasonable.
- 6.14 The ground floor element of the extensions, at 3.75m as a relative depth of 4.55m to the rear of No104. This is in excess of 4m guidance. The ground floor of the extensions would also marginally infringe the 45 degree line taken from the ground floor window of No104. Due to significant ground level changes and the set of this extension of 1.5m to the boundary, it is not however considered that the additional ground floor element of the extensions would be harmful to the rear of No104.
- 6.15 In respect of the other relevant guidance of the RDG, relevant to a first floor of an extension, it is noted that the design is acceptable, full compliance with the 45 degree rule is achieved and the extension exceeds a 1m distance from the boundary.
- 6.16 The relationship of the extension is therefore fully compliant with the 45 degree line relationship and has a relative depth to No104 that is equivalent to the RDG guidance as applied to the site specific circumstances. It is therefore not considered that the extensions at No102 would unreasonably or adversely harm the amenities of No104 to a degree which would warrant refusal of the application.
- 6.17 *Impact to No100 Ridge Lane*

The ground floor extension adjacent to No100 would have a depth of 3.75m relative to No100. This relationship is compliant with the RDG and is acceptable. The two storey element of the extension is set away from No100 and would not affect this property.

6.18 *Impact to 1 Denewood Close*

The rear garden of No102 backs onto the side boundary of the garden of No1 Denewood Close. Following the extension, a distance of 17.6m would be maintained from the rear windows of No102 to the garden boundary with No1 Denewood Close. This is in excess of the minimum garden depth guidance of 11m (section 7.3.16 of the RDG). The extension would also not infringe the 'privacy arc' as also detailed in section 7.3.16 of the RDG. This is therefore fully compliant and would not result in loss of privacy to No1 Denewood Close.

7. Consultation responses received

7.1 Letters of consultation were sent to 8 properties on the original application proposal. Objections from one neighbour were received.

7.2 The first floor depth was reduced to 2.8m and the ground floor depth was increased from 3.55m to 3.75m in amended plans Rev C. Neighbouring properties were re-consulted regarding this amendment. Additional responses were received from the neighbour who had already commented and a further 4 representations were received from 2 neighbouring properties and the residents association.

7.3 Objection comments are summarised in the following table:

Objection comment	Officer comments
The extensions would create loss of sunlight and daylight to the windows of No104	This is discussed in full in section 6 of this report. The first floor of the extensions would sit well short of the 45 degree lines taken from the nearest window of No104. This is fully RDG compliant and would ensure there is not loss of light or outlook to the windows and habitable rooms of No104. The ground floor of the extensions would marginally infringe this on plan however due to the ground level changes and set in from the boundary, the ground floor extension would be only marginally visible from No104 and would not constitute harm.

<p>The extensions would create enclosure to the property at No104 and block sun from the south.</p>	<p>This is discussed in full in section 6 of this report. There is a step between Nos 102 and 104 and a significant ground level change. These site specific circumstances have been considered in accordance with the RDG guidance and is considered to be a fair balance between the applicant and the neighbour. The first floor extension with a depth of 2.8m would have a relative depth of 3.6m to No104. This includes a 3m compliant depth plus an additional 0.6m which is offset by the ground level change between the properties. There is also a generous inset of 1.5m from the boundary. It is not considered that the height, depth and proximity of the extensions would create a harmful or unreasonable 'sense of enclosure' or overshadowing impact to this neighbour.</p>
<p>The 20cm reduction in depth have not overcome the objection</p>	<p>The depth of the first floor level of the extension has been reduced from 4m in the first refused application to 2.8m as now proposed. The revised depth has an acceptable relationship with the neighbouring No104.</p>
<p>The ground floor of the extension would now infringe the 45 degree line to the neighbour.</p>	<p>The first floor of the extension is well short of the 45 degree line on plan and elevation. The case officer's measurements show that the 45 degree line on plan would just touch the ground floor of the extension however this is set on lower ground level to No104 and set in 1.5m from the boundary. The ground floor element would therefore be barely visible from No104.</p>
<p>The extensions would create loss of privacy to 1-5 Denewood Close.</p>	<p>A rear garden depth of 17.6m would be maintained from the rear windows of No102 to the garden boundary with No1 Denewood Close. This is in excess of the minimum garden depth guidance of 11m (section 7.3.16 of the RDG). The extension would also not infringe the 'privacy arc' as also detailed in section 7.3.16 of the RDG. This is therefore fully compliant and the</p>

	extension would not result in loss of privacy to Denewood Close properties.
Trees have been previously removed from the garden of No102 which is harmful to the environment	There are no preserved trees on the site and this is not in a conservation area. The property owners are fully entitled to remove trees within their property.
Loss of light to garden of No100 Ridge Lane	Not agreed. The extensions on this side are single storey only and of a depth of 3.75m relative to the rear of No100. These are also to the north of No100. The extensions would therefore have a fully RDG compliant relationship with No100 and would not create any notable impact.
The scale of the development is obtrusive.	The scale of the development in relation to the house, the streetscene and neighbouring properties is wholly appropriate and fully compliant with guidance in respect of design.
Development would create an inconsistent plot arrangement that would be detrimental to the character of the adjoining properties.	It is noted that this group on Ridge Lane and Denewood Close have a similar original design with a side cat slide roof. There is already significant variation between plots with first floor side and/or rear extensions to numerous properties in the area including No 104 and 98 Ridge Lane and Nos1, 3, 5, 7 and 9 Denewood Close. Nevertheless, the extensions are fully acceptable in design terms.
If approved this would set a precedent for similar rear extensions in this part of the road.	There are already various extensions to properties in the area and extensions compliant with the RDG are acceptable in design terms.
The size of the applicant's garden would be reduced.	The remaining garden of 180sqm and 17.6m depth would be far in excess of minimum garden sizes and would remain as generous for the property.
Loss of permeable surfaces in back gardens can increase flooding	The extensions would cover a small proportional area of the garden which would retain a generous garden area.
Contrary to the East of England Plan	The East of England plan was revoked with the abolition of Regional Planning Strategy. The relevant development plan is detailed in the background papers to this agenda.

Noise and disturbance	This is not relevant or material to this application.
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8. Recommendation

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

Conditions

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 shall be carried out in accordance with the following drawings, unless otherwise approved in writing by the Local Planning Authority. The following drawings are hereby approved:

WPD-008-18-1 – Plans as Existing

WPD-008-18-2 Rev C - Plans as Proposed

WPD-008-18-3 Rev C – Site Plans

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

3. All the external surfaces of the development shall be finished in materials to match the colour, texture and style of the existing building. In the event of matching materials 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: In the interests of the visual appearance of the site, pursuant to Policy UD1 of the Watford Local Plan: Core Strategy 2006 - 31.

Informatives

IN907 Consideration of proposal in a positive and proactive manner

IN910 Building Regulations

IN911 Party Wall Act

IN912 Hours of Construction