Date of Meeting: 09 January 2014

APPLICATION NO: 13/2017/FUL

DATE OF APPLICATION: 11 September 2013

STATUTORY START DATE: 27 September 2013

SITE LOCATION

37 Newlands Avenue, Radlett, Hertfordshire, WD7 8EJ

DEVELOPMENT

Demolition of existing house & erection of 7 bedroom house with associated rooms in basement & roof space. Erection of detached single storey gym/spa building in garden ancillary to use of the house.

AGENT

Andy Lucas
Kent House
Sheep Street
Stow on the Wold
Glos
GL54 1HQ
United Kingdom

APPLICANT

Mr Julian Behrman

WARD: Aldenham West
GREEN BELT: No

CONSERVATION AREA: No
LISTED BUILDING : No

TREE PRES. ORDER: No

1.0 Summary of Recommendation

1.1 Grant Permission subject to conditions.

Key Characteristics

<table>
<thead>
<tr>
<th>Site Area</th>
<th>0.24Ha</th>
</tr>
</thead>
<tbody>
<tr>
<td>Density</td>
<td>n/a</td>
</tr>
<tr>
<td>Mix</td>
<td>Residential</td>
</tr>
<tr>
<td>Dimensions</td>
<td>See below</td>
</tr>
<tr>
<td>Numbers of Car Parking Spaces</td>
<td>3 spaces within triple garage and more than 5 spaces on the forecourt</td>
</tr>
</tbody>
</table>
2.0 Application Site/Surrounding Area

2.1 This application fronts the south west side of Newlands Avenue in an established residential area of Radlett. Newlands Avenue is a private road. The site is occupied by a two storey detached dwelling with loft accommodation. The dwelling is constructed of brick with a tiled gable ended roof. A large deep garden to the rear includes a swimming pool with mature vegetation along the property boundaries.

2.2 The surrounding area is characterised by large detached houses on substantial plots with deep, established gardens. Open land is located to the west and is within the designated Green Belt. A number of houses have been redeveloped in recent years and consequently the streetscene comprises a mixture of architectural styles and the scale of development varies greatly. Located to the south is no.35 which has been recently extended significantly to the rear, including a basement development. The dwelling is larger than the subject dwelling and located on slightly higher ground. Located to the north is no.39 in which the dwelling spans the width of the plot and is set slightly lower than the subject site.

3.0 Proposal

3.1 Demolition of existing house and erection of a 7 bedroom house with associated rooms in basement and roof space. Erection of detached single storey outbuilding to be used as a gym/spa building ancillary to the new house.

Comparison with neighbours:

<table>
<thead>
<tr>
<th>Existing House No.</th>
<th>Height to ridge (m)</th>
<th>1st floor width (m)</th>
<th>Max Depth Gnd/1st floor (m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>35</td>
<td>12</td>
<td>23.2</td>
<td>28/15</td>
</tr>
<tr>
<td>37</td>
<td>8.2</td>
<td>21.2</td>
<td>17.3/11.2</td>
</tr>
<tr>
<td>39</td>
<td>9.2</td>
<td>22</td>
<td>10 (Gnd flr) adjacent to no.37</td>
</tr>
</tbody>
</table>

Proposal at No 37:

<table>
<thead>
<tr>
<th>House</th>
<th>Outbuilding</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>12m (from a lower level than no.35 to give effective height of 11.1m in comparison)</td>
<td>20.2m for house +2.5m for midpoint of garage roof</td>
</tr>
<tr>
<td></td>
<td>4m to ridge</td>
<td>9.7m ground floor</td>
</tr>
<tr>
<td></td>
<td></td>
<td>33.2m (Gnd flr) adjacent to no.35 17.7m (Gnd flr) adjacent to no.39</td>
</tr>
<tr>
<td></td>
<td></td>
<td>8.2m ground floor</td>
</tr>
</tbody>
</table>
3.2 The proposal has been submitted to the Planning Committee as it has been called in by Cllr Silver by reason of the bulk and mass.

4.0 Relevant Planning History:

<table>
<thead>
<tr>
<th>Reference Number:</th>
<th>Description:</th>
<th>Granted Permission</th>
</tr>
</thead>
<tbody>
<tr>
<td>TP/95/0247</td>
<td>Erection of first floor rear extension</td>
<td>21 June 1995</td>
</tr>
<tr>
<td>TP/92/0199</td>
<td>Single storey side garage extension</td>
<td>6 April 1992</td>
</tr>
</tbody>
</table>

5.0 Notifications

<table>
<thead>
<tr>
<th>In Support</th>
<th>Against</th>
<th>Comments</th>
<th>Neighbours Notified</th>
<th>Contributors Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>4</td>
<td>0</td>
<td>6</td>
<td>5</td>
</tr>
</tbody>
</table>

Notices

Site Notice Expiry Date: 24.10.13

One letter of support was received from a neighbour directly across Newlands Avenue.

Concerns are raised by other neighbours on the following issues:

- Although a redevelopment for a new house would not be objected to the design would be seen as an overdevelopment with the scheme being too high in the street compared to neighbours
- The spacing with neighbours needs to increase to at least 2m at first floor level with the depth of walls too much
- Overlooking to no. 39 from windows
- The triple garage would project too much
- Front dormer windows are inappropriate
- Pool room in basement could cause subsidence problems for neighbours [This would be a civil matter between the neighbours]
- The ridge rooflight is not in keeping and the chimney would be over-dominant
- The balconies would overlook adjoining properties
- The pavilion is unnecessary and overbearing in this area
- The dwelling is too deep along boundary to no.35
- Demolition of the outbuilding to the rear adjoining no. 31 would impact on outlook from the rear of the dwelling at no.31

Amended plans have been produced during this application in response to the following concerns raised by neighbours. These plans show the following changes:
• A 1.4m to 2m gap will be provided along the south side of the proposed house adjoining no. 35 (previously development was up to the boundary);
• A reduction in the maximum depth of the largest central balcony from 3m to 2.55m; and
• A reduction in the size of the outbuilding to 4m maximum height.
• Dimensions of setback distances on south side boundary adjoining no. 35.

As a result of these changes, the objection received from no.35 to the south has been withdrawn.

6.0 Consultations

<table>
<thead>
<tr>
<th>Aldenham Parish Council</th>
<th>Objection due to the excess height, width, proposed chimney and unsympathetic design with front dormers not being appropriate (these comments were received prior to the amendments been made)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drainage Services</td>
<td>No objection</td>
</tr>
<tr>
<td>Thames Water Development Planning</td>
<td>No objection</td>
</tr>
<tr>
<td>Housing</td>
<td>No objection</td>
</tr>
<tr>
<td>Radlett Society And Green Belt Association</td>
<td>No Response received</td>
</tr>
<tr>
<td>Newlands Avenue Road Committee</td>
<td>No Response received</td>
</tr>
<tr>
<td>Oakridge Avenue Road Association</td>
<td>No Response received</td>
</tr>
<tr>
<td>Environmental Health &amp; Licensing</td>
<td>No objection</td>
</tr>
<tr>
<td>Tree Officer</td>
<td>No Response received</td>
</tr>
<tr>
<td>Highways HCC</td>
<td>No Response received</td>
</tr>
<tr>
<td>EDF Energy Networks</td>
<td>No Response received</td>
</tr>
<tr>
<td>National Grid Company Plc</td>
<td>No Response received</td>
</tr>
<tr>
<td>Affinity Water Strategic Planning</td>
<td>No Response received</td>
</tr>
</tbody>
</table>
7.0 **Policy Designation**

The site is not subject to any specific policy designation; however it is located within an established residential area.

8.0 **Relevant Planning Policies**

<table>
<thead>
<tr>
<th></th>
<th>Policy Type</th>
<th>Policy Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>National Policy</td>
<td>NPPF</td>
<td>National Planning Policy Framework 2012</td>
</tr>
<tr>
<td>2</td>
<td>Circular</td>
<td>11/95</td>
<td>Circular 11/95 on Planning Conditions</td>
</tr>
<tr>
<td>3</td>
<td>Circular</td>
<td>03/09</td>
<td>Circular 03/09 on Costs awards</td>
</tr>
<tr>
<td>4</td>
<td>Hertsmere Local Plan Policies</td>
<td>D20</td>
<td>Supplementary Guidance</td>
</tr>
<tr>
<td>5</td>
<td>Hertsmere Local Plan Policies</td>
<td>D21</td>
<td>Design and Setting of Development</td>
</tr>
<tr>
<td>6</td>
<td>Hertsmere Local Plan Policies</td>
<td>E7</td>
<td>Trees and Hedgerows - Protection and Retention</td>
</tr>
<tr>
<td>7</td>
<td>Hertsmere Local Plan Policies</td>
<td>E8</td>
<td>Trees, Hedgerows and Development</td>
</tr>
<tr>
<td>8</td>
<td>Hertsmere Local Plan Policies</td>
<td>H6</td>
<td>Retention of Existing Residential Accomodation</td>
</tr>
<tr>
<td>9</td>
<td>Hertsmere Local Plan Policies</td>
<td>H8</td>
<td>Residential Development Standards</td>
</tr>
<tr>
<td>10</td>
<td>Hertsmere Local Plan Policies</td>
<td>M2</td>
<td>Development and Movement</td>
</tr>
<tr>
<td>11</td>
<td>Hertsmere Local Plan Policies</td>
<td>M12</td>
<td>Highway Standards</td>
</tr>
<tr>
<td>12</td>
<td>Core Strategy</td>
<td>CS1</td>
<td>Location and Supply of new Homes</td>
</tr>
<tr>
<td>13</td>
<td>Core Strategy</td>
<td>CS12</td>
<td>Protection and Enhancement of Natural Environment</td>
</tr>
<tr>
<td>14</td>
<td>Core Strategy</td>
<td>CS17</td>
<td>Energy and CO2 Reductions</td>
</tr>
<tr>
<td>15</td>
<td>Core Strategy</td>
<td>CS22</td>
<td>High Quality Development</td>
</tr>
<tr>
<td>16</td>
<td>Core Strategy</td>
<td>CS25</td>
<td>Accessibility and parking</td>
</tr>
<tr>
<td>17</td>
<td>Hertsmere Planning &amp; Design Guide</td>
<td>Part D</td>
<td>Guidelines for Development</td>
</tr>
<tr>
<td>18</td>
<td>Supplementary Planning Document</td>
<td>PS</td>
<td>Parking Standards Supplementary Planning Document</td>
</tr>
</tbody>
</table>
9.0 Key Issues

9.1 • Principle of Development and Sustainability

• Visual Amenity
  • Architectural Design
  • Scale and Spacing

• Residential Amenity
  • Privacy
  • Outlook
  • Overshadowing

• Parking and Highway Safety

• Trees and Landscaping

• Refuse Storage

10.0 Comments

Principle of Development and Sustainability

10.1 The NPPF (2012) states that a core planning principle is to encourage sustainable development involving the effective use of previously developed land provided that it is not of high environmental value. The definition of previously developed land includes houses but excludes their gardens. Policy CS17 of the Core Strategy (2013) requires development to be sustainable and sets a target of new homes to be to Code for Sustainable Homes level three. This Code covers nine criteria including energy/CO2, water, materials, surface water runoff (flooding and flood prevention), waste, pollution, health and well-being, management and ecology. In addition, Local Plan (2003) policy H6 seeks to protect the retention of exiting residential accommodation, particularly dwellings suitable for smaller households.

10.2 The use of the site is established as residential and there is no objection in principle to the redevelopment of the dwelling. The existing dwelling is suitable for a large household and the replacement dwelling would also accommodate a large household. Thus, there would be no loss of a residential unit and the proposal is consistent with policy H6.

10.3 The proposal would reuse previously developed land for a larger house, incorporating part of the rear garden. The design would be recessed further from the front for the main house. It would be deeper at the rear but would retain the majority of the rear garden. A condition is recommended requiring the design and an assessment post completion to abide by Code level three as discussed above, in accordance with policy CS17. In principle the proposal would comply with the general objectives of the NPPF (2012) and CS17 of
Policy Background

10.4 The NPPF (2012) emphasises great importance of the design of the built environment. Hertsmere Local Plan (2003) policies H8 and D21 seek to ensure proposals respect or improve the character of their surroundings and adjacent properties in terms of privacy, scale, massing, materials, layout, bulk and height. Policy CS22 of the Core Strategy (2013) encourages good design and generally complements the above policies. Part D of the Planning & Design Guide (2013) offers detailed guidance on the design standards expected of new developments.

Architectural Design

10.5 The character of the area comprises large detached houses, many of which have been redeveloped in recent years. Development comprises varying architectural styles and includes rustic and modern materials of differing colours and textures. In terms of design, the new dwelling would incorporate contemporary Edwardian style and features. The Parish Council have raised concerns that this design would not fit in with neighbouring houses, particularly due to the inclusion of chimneys and front dormer windows. While the dwelling would not mimic the adjoining, it does incorporate design features which reflect those in the adjoining dwellings, such as the front projecting gable features and pitched roof.

10.6 There are two chimneys proposed, one to either side of the dwelling. Tall chimneys are prominent along Newlands Avenue, including but not limited to, nos. 35, 39, 27, 25 and 19. They would be constructed of materials to match the dwelling and with a width of approximately 1.5m; they would be of a typical size for a chimney on a property of this scale. They would be located against a backdrop of development and would not result in visually obtrusive built form when viewed from outside the site. The scale and location of the proposed would be similar to others in the streetscene and thus, there is no objection to the inclusion of the chimneys.

10.7 While it is acknowledged that front dormers are often discouraged, they are prevalent in the streetscene of Newlands Avenue. The proposed windows have been designed with pitched roofs to reflect those of adjoining properties. They are centrally located on either end of the dwelling and would result in the appearance of a balanced house. Thus, the front dormer windows are considered acceptable in this context. Given the mix of architectural styles with both traditional and modern designs in the streetscene, the proposed dwelling would sit comfortably amongst existing development in Newlands Avenue.

10.8 The existing house has a light brick finish with a tiled, gable ended roof. The
The proposed dwelling would be constructed of bricks and stone with clay tiles for the roof. These materials would sit comfortably amongst surrounding development, however a condition is recommended requiring details of these materials to be submitted and approved by the Local Planning Authority prior to commencement of construction. This would ensure colours and surfaces would complement surrounding development.

10.9 The dwelling would be two storey with accommodation in the roof (excluding the basement). It would have two wings of hipped roofs aside the central gable. The pitched roof form would assist in reducing the visual bulk of the dwelling and would slope away from adjoining properties thereby increasing the sky gap between developments. This would ensure a terracing effect would not occur and the building would not appear cramped within the streetscene.

10.10 A forward projecting pitched roof and triple garage is proposed to the south side of the dwelling with studio room above. The front elevation would include two windows. These windows would match those on the main dwelling and would give the garage a domestic look, appearing as a continuation of the dwelling within the streetscene. This design adds visual interest to what would generally be a blank elevation on a garage.

10.11 There are other examples of forward projecting garages along Newlands Avenue (nos. 8, 11, 14, 17, 18, 35 and 45) and thus, the proposal would not be out of character. The garage would maintain a significant front setback of 13.5m from the road. It would include a chimney feature on the north side and use brick and stone detailing around Georgian inspired windows with a circular window central in the roof. A rooflight would be located in the centre of the top of the roof to allow for light to penetrate to the main central stairway space.

10.12 The proposed pavilion (outbuilding) would house leisure uses (gym and spa). The design is considered acceptable as it would complement the main dwelling. The walls would be constructed of brick and stone to reflect the dwelling and the fenestration and design features such as the Corinthian columns and hipped roof would reflect those on the dwelling.

Scale and Spacing

10.13 The existing dwelling is far lower than the two adjoining dwellings. The proposed dwelling would increase the height significantly, yet it would still sit between the ridge heights of the adjoining properties. Topographically, the land falls from the south and thus, no.35 sits approximately 1m higher than the application site. The dwelling at no.35 has a ridge height of approximately 12m. In contrast, no.39 to the north has a height of approximately 9.2m. A number of objections have raised concern with respect to the proposed increase in height.

10.14 With the change in levels, the height of the proposed house would be approximately 1m lower than no.35 and approximately 2.8m higher than the
ridge of no.39. Although significant, given the hipped roof form, the ridge would be approximately 11.5m from the ridge of the adjoining dwelling at no.39. In addition, it is important to note that the roof gap would be increased with the change from a gable end to a hipped roof. Given the variation of heights in the street, the new dwelling would not appear too high or out of character.

10.15 A number of the new developments along Newlands Avenue are greater in scale than the proposed and include crown roofs, which significantly increase the bulk a dwelling (such as no.8 approved 18/01/2013, no.30 and no.15 approved 2006). Consequently, given the context, it is not considered the height would warrant grounds of refusal, particularly given the form of the pitched roof which reduces the visual bulk. Ultimately, the height would not harm the visual amenity or appearance of the streetscene. A condition is recommended requiring details of levels and ridge heights prior to commencement to ensure the constructed building is as approved and no higher.

10.16 The dwelling would have a depth of 17.7m on the north side at ground floor and approximately 19m on the south side. While it is acknowledged that this is substantially deeper than the existing (which is currently one of the narrowest dwellings along Newlands Avenue) it would not result in any undue visual impacts. The dwelling would project no further than that of no.35 to the south and as the dwelling to the north is set further back on the plot, it would not be visually obtrusive when viewed from the rear of the dwelling.

10.17 The principle elevation of the house proposed would be recessed further away from the front compared to the existing house by 5.2m further on the south side near no.35 and by a further 1.7m adjacent to no.39. With regards to side setbacks, the new dwelling would come no closer to the north side boundary and would be further set-in from the south side boundary than that existing, as the current garage constructed to the boundary. Given the separation distances to the side boundaries would be maintained and in parts increased, the width of the dwelling is considered acceptable and would maintain sufficient space between developments.

10.18 The proposed garage would project approximately 2.5m forward of the dwelling at no.35 and there would be a separation distance of 4m between the developments. The garage would have a maximum height of 7.5m, however given the steep pitched roof the eave height would be 3.5m. This form would mean that the garage would not result in a visually obtrusive built form when viewed from the adjoining property. In addition, the main bulk of the dwelling would be further setback from the south side boundary, thereby increasing the separation between the bulk of the proposed and existing dwellings.

10.19 The owner of no.35 originally raised concerns regarding the bulk of development and separation from the south side boundary. In a response to these concerns, plans were amended to show an increase in separation with a maximum distance of 2m between the new dwelling and side boundary, as
well as a reduction in height. The objector has stated that these changes have addressed their key concerns with the proposal and consequently, they have withdrawn their object subject to the approval in accordance with the amended plans.

10.20 The outbuilding proposed would be located to the rear most part of the garden with a minimum setback from the rear boundary of approximately 3m and significant setbacks from the side boundaries. The outbuilding would be appropriately proportioned to the large garden. Landscaped gardens, including a swimming pool would be located between the outbuilding and the house. Concerns were raised by the residents of no.31 to the rear regarding the scale and location of the outbuilding. The outbuilding was consequently reduced in height to a maximum of 4m. It is important to note that with the reduction in height, a similar outbuilding could be constructed under permitted development rights, without the need for planning permission.

Summary

10.21 In summary, the proposal would result in a larger house than that currently existing. The current dwelling is one of the smaller remaining along Newlands Avenue, as large redevelopments have become common-place in recent years. Given the variation in architectural design and mix of traditional and contemporary dwellings, the design of the new dwelling would be in keeping with the character of the area. The scale, while larger than that existing, would reflect surrounding development. Adequate separation distances have been maintained and the new dwelling and outbuilding would not result in excessive visual bulk that would warrant grounds of refusal. The proposal consequently complies with the visual amenity objectives of the NPPF (2012), policies H8 and D21 of the Local Plan (2003), policy CS22 of the Core Strategy (2013) and Part D of the Planning and Design Guide SPD (2013).

Impact on Residential Amenity

Policy Background

10.22 The NPPF (2012) states that local plans should set out policies that use buildings to create attractive and comfortable places to live. Policy H8 of the Local Plan (2003) seeks to ensure that the privacy of neighbours is maintained with adequate separation between buildings and to site boundaries. This guidance is reiterated in Part D of the Planning & Design Guide (2013) which places specific measures on development. Part D requires new developments to be set comfortably within a line drawn at 45 degrees from the nearest edge of the neighbouring front or rear facing habitable room windows. The Guide also states that the first three metres of rear garden area nearest the house are considered the most private areas and states that balconies are to be avoided where they would result in overlooking and impact on privacy.
Privacy and Overlooking

10.23 The proposal would have windows facing to the side of no.39 at first floor and ground floor. These would be obscurnely glazed and are recommended to be conditioned to be non-opening below a height of 1.7m from finished floor level. These windows would serve a dressing room and would be secondary windows to living areas. As such, there would be no significant residential amenity impacts for future occupiers of the dwelling if the windows were obscurnely glazed. No windows are proposed on the south side elevation. As such, there would be no overlooking issues to the side of the dwelling.

10.24 There are three balconies proposed to the rear of the dwelling. The two on each side would have a depth of 0.75m. The central balcony would be larger with a depth of 2.5m. This was reduced from 3m following concerns raised by neighbours. While balconies are generally discouraged, no significant overlooking would occur due to the scale and siting of the balconies. The two side balconies would not allow usable space, more than standing room and the central balcony while larger, would only allow views to the rear portions of the gardens. To the south towards no.35, the roof of the neighbouring dwellings rear extension would obscure views from the nearest small balcony of the proposal that is located more than 18m to the nearest part of the most sensitive part of the patio. To the north towards no.39, the rear projection of the new dwelling would mean that views would only be towards the rear of the garden, not the most usable 3m. Given the distances and layout the balconies are considered acceptable in this instance and would not result in any significant privacy impacts for neighbours.

10.25 In future, if windows were to be inserted in the side elevations of the first floor elements of the house under Permitted Development then these windows could overlook neighbours. Consequently, a condition is recommended that would allow control over any insertion of windows at a future date. In addition further controls over extensions and outbuildings are required to protect the amenities of adjoining residents.

Outlook

10.26 There are a number of windows in the side elevation of no.35, however they would serve non-habitable rooms with the exception of one window at ground level. The proposal would replace the garage with a new garage in front of the house. This would be further setback with a distance of 1.4m from the south side boundary adjoining no.35. Consequently, although the pitched garage roof is higher than the existing flat roof of the garage, it is further setback and would not breach a 45 degree line drawn from adjoining development. Therefore, there would be no impact on outlook from the front facing windows of no.35. With regards to the outlook from the rear, the dwelling of no.35 projects further than the proposed dwelling at ground floor and thus, the proposal would not impact outlook from ground floor windows. At first floor, the new dwelling has been designed to ensure a 45 degree line is not breached.
10.27 To the north, the proposal would be deeper than the rear elevation of no.39 by approximately 5.4m. This however, would not impinge on a 45 degree line from the nearest rear windows and therefore, would not unduly impact outlook from the rear of no.39.

10.28 The neighbours to the west at no.31 have raised concerns regarding the removal of the existing outbuilding on the rear boundary and the impact this may have on their outlook and views towards the subject site and the proposed pavilion. The existing outbuilding acts as the boundary and its removal would allow clear views to the application site from the rear of their dwelling which is elevated. The proposed outbuilding would be single storey and situated 7.1m away from the nearest window to the side of no.31. The distance and the scale of the proposal would ensure the building would not be visually obstrusive when viewed from no.31. In addition, it would be no higher than what could be built without planning permission currently (4m). As a small section of the boundary treatment would be removed with the demolition of the existing outbuilding, a condition is recommended for replacement fencing to ensure privacy is maintained. A condition is also recommended to ensure that the building is only used ancillary to the main dwelling and not as a self-contained unit.

Overshadowing

10.29 A sunlight and daylight assessment was submitted in support of the application. This analysis shows that there would be no significant overshadowing impacts on adjoining land or windows. Given the orientation of the plot, there would be no significant overshadowing caused to no.35 to the south, above that already existing. With regards to no.39 to the north, this plot has a width of 26.5m and any immediate overshadowing would still leave an adequate area of garden free from any overshadowing, in particular, it would not significantly impact the first 3m of garden area which is defined as the most usable area.

Summary

10.30 Subject to the recommended conditions the proposal would result in no significant residential amenity impacts for adjoining owners and occupiers. In terms of residential amenity objectives, the proposal would thus, comply with the NPPF (2012), the Hertsmere Local Plan (2003) policies H8 and D21 and the Planning & Design Guide Part D 2013.

Parking and Highway Safety

Policy Background

10.31 The NPPF (2012) states that planning authorities should take into account the type of development proposed in setting parking standards. Policy M12 of the Local Plan 2003 requires developments to comply with design guidance on highway matters, consider whether traffic generation would adversely impact on the local road network and ensure that there is adequate space for
circulation, parking, manoeuvring and servicing. Policy CS25 of the Core Strategy 2013, with the Parking Standards Supplementary Planning Document 2008 (updated 2010), emphasise the importance of accommodating adequate off street parking within developments.

Parking Provision

10.32 The proposal would provide over three car parking spaces in the garage and could accommodate over 6 cars on the drive. Council’s Car Parking Standards SPD (Revised 2010) states that a 7 bedroom dwelling should provide 4 on-site car parking spaces. The proposal well exceeds this requirement and therefore, it would result in no pedestrian or highway safety implications for Newlands Avenue. As such, no objection is raised to the car parking provision provided.

Trees & Landscaping

10.33 Policy CS12 of the Core Strategy (2013) states that all development proposals must conserve and enhance the natural environment of the Borough. In addition, Local Plan (2003) Policy E7 requires trees and hedgerows which contribute to visual amenity to be retained and protected and Policy E8 states that on sites where existing trees and/or hedgerows are to be retained, proposals must provide sufficient space between trees and/or hedgerows and buildings to avoid affecting the existing and proposed landscape features.

10.34 The Arboricultural Impact Assessment from the applicant has concluded that 6 low grade trees will need to be removed for the scheme. These are all located within the rear garden with the exception of one small tree to the front. All trees that contribute to the amenity of the area can be viably retained in light of the works.

10.35 A landscaping scheme is included with the application which would provide new trees and shrubbery to the side boundaries and to the frontage. The plan shows an adequate balance of hard and soft landscaping. A condition is recommended requiring details of materials for all hard-surfaces to be submitted to and approved by the Local Planning Authority.

10.36 In summary, with conditions to ensure that mitigation is provided to protect retained trees and provision of new trees and landscaping, the impact on vegetation would be acceptable and would comply with the NPPF (2012), policy CS12 of the Core Strategy (2013) and policies E7 and E8 of the Local Plan (2003)

Refuse and Recyclable Materials

10.37 Policy H8 of the Hertsmere Local Plan (2003) states that adequate provision should be made for storage of refuse and recyclable materials. Part D of the Planning and Design Guide (2013) outlines the various requirements for bin storage.
10.38 The proposal shows that bin storage is provided to the north side of the plot to the front of the dwelling. Part D of the Planning and Design Guide (2013) requires bin stores to have adequate lighting and suitable means of enclosure. The bin store would be covered and is located to the side of the site in a landscaped area. This would not harm the appearance of the dwelling and would be practical for the collection of rubbish.

11.0 Conclusion

11.1 The proposal would involve the demolition of the existing house and the provision of a larger house on the site. Given the context, the design of the proposal would have an acceptable impact on the visual amenities of the streetscene. The proposal has been designed and sited to protect the residential amenities of neighbouring residents and would have no undue impacts in terms of highway safety or vegetation. This proposal would therefore comply with the NPPF (2012), policies D20, D21, E7, E8, H6, H8, M2 and M12 of the Local Plan (2003), policies CS1, CS12, CS17, CS22 and CS25 of the Core Strategy (2013), Part D of the Planning & Design Guide (2013) and the Parking Standards SPD (2008) (Revised 2010).

12.0 Recommendation

Grant Permission subject to conditions

13.0 Conditions/Reasons

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

CR01 Development to commence by - Full

2 CE16 Construction Management

CR37 Wheel Cleaning

3 CB04 Prior Submission - Levels

Reason:
To ensure a satisfactory relationship between the various components of the development and between the site and adjoining land. To ensure that construction is carried out at a suitable level having regard to drainage, access, the appearance of the development, any trees or hedgerows and the amenities of neighbouring properties. To comply with Policies D3, H8, D20, D21, M12, E7 and E8 of the Hertsmere Local Plan 2003 and Policy CS22 of the Hertsmere Core Strategy 2013.

4 CB02 Prior Submission - External Surfacing

Reason:
To ensure that the finished appearance of the development will enhance the character and visual amenities of the area. To comply with Policies H8, D20 and D21 of the Hertsmere Local Plan 2003 and Policy CS22 of the Hertsmere Core Strategy 2013.

5  **CB03** Prior Submission - Hard Surfacing

**Reason:**
To ensure that the finished appearance of the development will enhance the character and visual amenities of the area. To comply with Policies H8, D20 and D21 of the Hertsmere Local Plan 2003 and Policy CS22 of the Hertsmere Core Strategy 2013.

6  **CG01** Prior Submission - Surface Water Run-Off

**Reason:**
To ensure the proposed development does not overload the existing drainage system resulting in flooding and/or surcharging. To comply with Policy D3 of the Hertsmere Local Plan 2003 and Policy CS16 of the Hertsmere Core Strategy 2013.

7  **CB21** – Protection of existing trees.

**Reason:**
To ensure protection during construction works of trees, hedges and hedgerows which are to be retained on or near the site in order to ensure that the character and amenity of the area are not impaired. To comply with Policies E7 and E8 of the Hertsmere Local Plan 2003 and Policies CS12 and CS22 of the Core Strategy 2013.

8  **Prohibited Activities**

The following activities must not be carried out under any circumstances:

a,  No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
b,  No works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.
c,  No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.
d,  No mixing of cement or use of other materials or substances shall take place within Root Protection Areas, or close enough to a Root Protection Area that seepage or displacement of those materials or substances could cause them to enter a Root Protection Area.
e,  No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.
Reason: To ensure that the retained trees, shrubs and hedgerows on the site are not adversely affected by any aspect of the development to comply with policies E7, E8 and C10 of the Local Plan 2003 and CS12 of the Core Strategy 2013.

9 **CC01 No New Enlargements to Dwellings**

Reason:
To satisfactorily protect the character and appearance of the area and the residential amenities of nearby occupiers. To comply with Policies H8, D20 and D21 of the Hertsmere Local Plan 2003 and Policy CS22 of the Hertsmere Core Strategy 2013.

10 **CC02 No New Outbuildings for Dwellings**

Reason:
To satisfactorily protect the character and appearance of the area and the residential amenities of nearby occupiers. To comply with Policies H8, D20 and D21 of the Hertsmere Local Plan 2003 and Policy CS22 of the Hertsmere Core Strategy 2013.

11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking and re-enacting that Order with or without modification), no windows, doors or other openings other than those expressly authorised by this permission shall be constructed.

**CR12 Visual & Residential Amenities**

12 The landscaping scheme as approved shall be carried out in the first planting season following the completion of the development. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives prior written permission for any variation.

**CR27 Landscape/Trees Provision**

13 The dwelling shall achieve level 3 of the Code for Sustainable Homes (or any such national measure of sustainability for house design that replaces that scheme). The dwelling shall not be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

Reason: In the interests of sustainable design in accordance with policy CS17 of the Core Strategy 2013.
14 The outbuilding hereby approved shall only be used in a way that is ancillary to the main use of the house and shall not be used as a separate self-contained dwelling.

Reason: To avoid the creation of a separate planning unit that would be contrary to policy D21 & H8 of the Local Plan 2003 and CS22 of the Core Strategy 2013.

15 The proposed windows in the first floor north elevation facing no.39 shall be obscurely glazed and non-opening below a height of 1.7m when measured from internal finished floor level.

Reason: In order to protect the neighbours from overlooking to comply with policies H8 of the Local Plan 2003 and CS22 of the Core Strategy 2013.

16 NO DEVELOPMENT SHALL TAKE PLACE BEFORE details of all walls (including retaining walls), fences, gates or other means of enclosure to be erected in or around the development have been submitted to, and approved in writing by, the Local Planning Authority. This shall include details of replacement boundary treatment in the location of the existing outbuilding on the rear boundary to be demolished. PRIOR TO FIRST OCCUPATION OR USE OF THE DEVELOPMENT the walls (including retaining walls), fences, gates or other means of enclosure shall be erected as approved and shall thereafter be permanently retained and maintained.

Reason: CR 12 – Visual and residential amenities

17 The development hereby permitted shall be carried out in accordance with the following approved plans:
- Design & Access Statement, date stamped 11/09/2013
- Arboricultural Impact Assessment, date stamped 11/09/2013
- Landscape Masterplan, date stamped 11/09/2013
- Drawing No. 1112/S01 Rev. B, date stamped 18/12/2013
- Drawing No. 1112/P01 Rev. C, date stamped 18/11/2013
- Drawing No. 1112/P02 Rev. D, date stamped 18/12/2013
- Drawing No. 1112/P03 Rev. D, date stamped 18/11/2013
- Drawing No. 1112/P04 Rev. D, date stamped 18/11/2013
- Drawing No. 1112/P05 Rev. C, date stamped 18/11/2013
- Drawing No. 1112/P06 Rev. D, date stamped 18/11/2013
- Drawing No. 1112/P07, date stamped 11/09/2013
- Drawing No. 1112/P08, date stamped 11/09/2013
- Drawing No. 291036-06B, date stamped 18/12/2013

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

14.0 General Reason(s) for Granting Permission

The proposal would involve the demolition of the existing house and the
provision of a larger house on the site. Given the context, the design of the proposal would have an acceptable impact on the visual amenities of the streetscene. The proposal has been designed and sited to protect the residential amenities of neighbouring residents and would have no undue impacts in terms of highway safety or vegetation. This proposal would therefore comply with the NPPF (2012), policies D20, D21, E7, E8, H8, M2 and M12 of the Local Plan (2003), policies CS1, CS12, CS17, CS22 and CS25 of the Core Strategy (2013), Part D of the Planning & Design Guide (2013) and the Parking Standards SPD (2008) (Revised 2010).

15.0 Background Papers

1. The Planning application (13/2017/FUL) comprising application forms, certificate, drawings and any letters from the applicant in support of the application.
2. Replies from Statutory consultees and correspondence from third parties.
3. Any other individual document specifically referred to in the agenda report.
4. Published policies / guidance

16.0 Informatives

1. The application has been considered in the light of the following policies: the NPPF (2012), policies D20, D21, E7, E8, H6, H8, M2 and M12 of the Local Plan (2003), policies CS1, CS12, CS17, CS22 and CS25 of the Core Strategy (2013), Part D of the Planning & Design Guide (2013) and the Parking Standards SPD (2008) (Revised 2010).

2. Building Regulations

To obtain advice regarding current Building Regulations or to submit an application, applicants should contact the Building Control Section Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood, WD6 1WA, telephone 020 8207 2277. For more information regarding Building Regulations visit the Building Control Section of the Councils web site www.hertsmere.gov.uk

To obtain Building Regulations Approval the applicant should apply to obtain either:
- Full Plans approval - this will give approval prior to the work commencing and may take up to 5 weeks, or
- Building Notice approval - this requires 48 hours notice prior to the commencement of work.

Both of these approvals will require the submission of the requisite fee and 2 copies of drawings and relevant calculations. Having applied for Building Regulations approval, the works applied for will be subject to inspection by Building Control Officers at specific stages to ensure
compliance. The applicant has a statutory duty to inform the Council of any of the following stages of work for inspection:

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)
- Floor and Roof construction
- Work relating to fire safety
- Work affecting access and facilities for disabled people
- Completion

Any work that affects a party wall will require approval from the adjoining owner(s). This aspect of the work is a civil matter and does not come within the remit of the Council. Please refer to the Government's explanatory booklet The Party Wall etc. Act 1996, a copy of which is available from the Council Offices, Borehamwood, Hertfordshire. More information is available on the Council's web site or for further information visit the Department of Communities and Local Government website at www.communities.gov.uk.

3. Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186, 187 and 188) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Case Officer Details

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