

Householder Application

## design and access statement

Proposed two storey front, first floor side and part single part two storey rear extensions, loft conversion with new rear dormer window & rooflights with raised roof ridge level and fenestration alterations (re-submission following refusal of Ref: 23/1102/HSE)

48 Newberries Avenue, Radlett, Hertfordshire WD7 7EP

**On behalf of Mr & Mrs Mistry**

**Brian Parker**  
**BA MSc MRTPI**

MRP Planning  
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## Preliminaries

I have a BA (Hons) in Geography and an MSc in Urban and Rural Planning and I am a Chartered Member of the Royal Town Planning Institute.

I have been commissioned by the applicants to produce a Design and Access Statement to support a Householder Application for their family home. The Agent (and architect) for the scheme is Mr Paul Kennedy MCIQB NCEA.

The information and evidence in this Statement have been prepared and are given in accordance with the guidance of the RTPI and I confirm that the views expressed are my genuine professional opinions.

Brian Parker, December 2023



## 1.0 Introduction and Summary

1.1 This Design and Access Statement (DAS) is submitted to support a Householder Application to extend a family home within the village of Radlett (see Fig. 1 below). The DAS assesses the proposal against current national and local policies to demonstrate how the scheme is a positive and appropriate response to relevant policies and the local context.

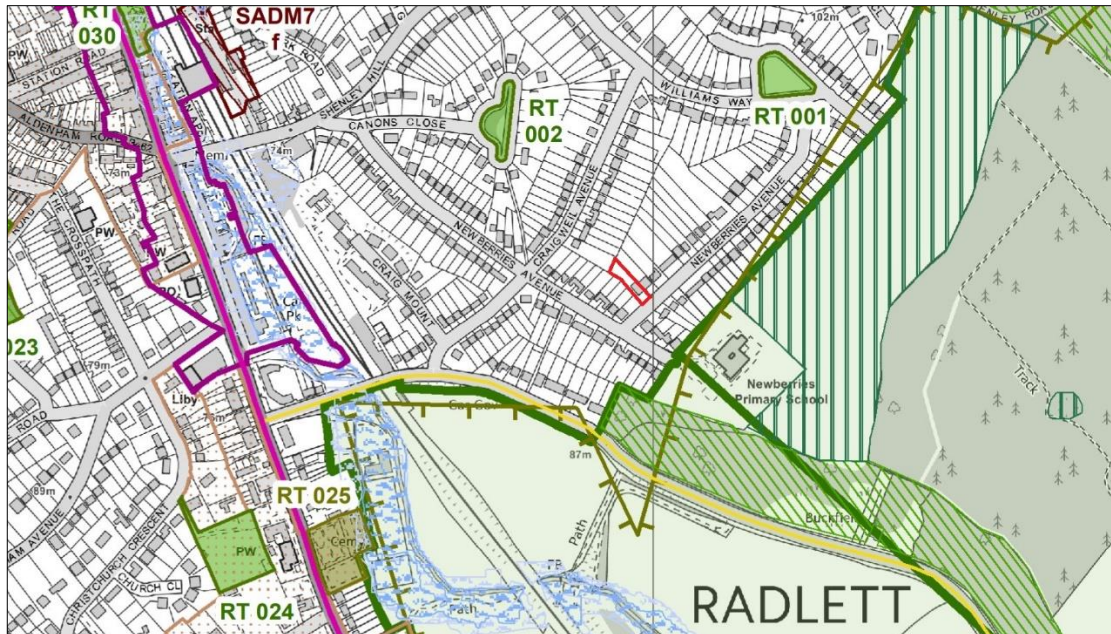


Fig. 1 The Site (outlined in red) is within the village of Radlett (Source: Hertsmere BC Policies Map, Map E)

1.2 This is a revised application following the refusal of a previous scheme (Ref: 23/1102/HSE). That was refused in September 2023 for two reasons. First, for the absence of an Arboricultural Impact Assessment and, secondly, for the scale of the development which the Council considered to be *“bulky, dominant, incongruous and visually intrusive”*, such that it would harm both the dwelling and character and appearance of the area. Whilst not a Reason for Refusal, the Council also implied that the previous scheme was so large that it was questionable whether it qualified as a Householder Scheme.

1.3 The drawings, Arboricultural Impact Assessment (the AIA) and this DAS demonstrate that the revised proposal is a Householder Application which:

- is compliant, with both national and local policy;
- is a positive response to the character of both the existing family home and the area; and
- is sustainable development

so that, in accordance with the NPPF, it should be approved without delay.

## 2.0 The Site and Proposal

### The Site

- 2.1 The Site of c. 0.1 hectare comprises a family home on a residential curtilage within, save for the nearby Newberries Primary School, a wholly residential area of Radlett which is subject to no specific planning constraints such as Green Belt or Conservation Area status (see Fig. 1 above). A highly sustainable location, the family home is less than 700 metres from Radlett Station and c.650 metres to the shops and services on Watling Street.
- 2.2 The house sits between houses on all sides, some of the gardens of which include trees, one of which in the rear of no. 46 Newberries Avenue is subject to a Tree Preservation Order. An Arboricultural Impact Assessment has been carried out by Claire Nash BA (Hons) Dip Arb (RFS) FRSPH MArborA MIOd and is included with the application documents.

### The Proposal

- 2.3 The proposal is to extend the family home via:
- 2-storey front extension – whilst the front extension in the previous application was considered entirely acceptable, given the Council’s strong opposition to it, the current design has, in a spirit of compromise, been reduced in scale to be more subordinate: in addition, the front door has been brought forward to align with the existing garage door;
  - first-floor side extension;
  - part-single storey, part-two storey rear extension – the roof of the single-storey element is now a pitched glass roof;
  - loft conversion, incorporating a slight raising of the ridge height, a new rear dormer window and rooflights; and
  - consequential changes to fenestration.
- 2.4 Full details of the existing dwelling and proposed family home, including the minor impact on the street scene can be found in the comprehensive suite of drawings © Paul Kennedy, 2023:
- Location Plan
  - Existing Elevations and Floor Plans Ref: 266.5-PLK-01 Rev A
  - Existing and Proposed Roof and Site Layouts Ref: 266.5-PLK-02 Rev B
  - Proposed Elevations and Floor Plans Ref: 266.5-PLK-03 Rev C
  - Existing and Proposed Street Scene Ref: 266.5-PLK-04 Rev B

2.5 The Council implied that the previous scheme was so large that it should have provided demolition plans and perhaps should not even have qualified as a Householder Application. However, there is no national or local requirement for an application to extend a family home to provide demolition plans (it is entirely appropriate to deal with demolition and construction works via Conditions).

2.6 Furthermore, article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO), defines Householder Application as:

*“(a) an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or*

*(b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development,*

*but does not include an application for change of use or an application to change the number of dwellings in a building”.*

2.7 The application seeks neither a change of use nor to change the number of dwellings in a building. Because there is no prescribed amount of development to an existing dwelling above which a proposal ceases to be a householder application, the scheme is clearly a Householder Application and must be treated as such.

2.8 If the Council believes any additional information is needed, please contact Mr Kennedy or me at the earliest opportunity.

### **3.0 Planning Policy and Context**

- 3.1 Paragraph 47 of the NPPF confirms that *“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise”*.
- 3.2 The most relevant elements of the Council’s Development Plan are: the Hertsmere Core Strategy 2013; the Radlett Neighbourhood Plan 2021; the Site Allocations and Development Management Policies Plan 2016; and the Planning and Design Code Part E: Guidelines for Residential Extensions and Alterations 2006.
- 3.3 These policies and guidance are considered in detail in Section 4.
- 3.4 Essential material considerations are the National Planning Policy Framework September 2023 (the NPPF) and the Government’s Planning Practice Guidance (the PPG).
- 3.5 Whilst most of sections of the NPPF are relevant to this Application, the more important ones are:
- *“Achieving sustainable development”*, Section 2;
  - *“Decision-making”*, Section 4;
  - *“Making effective use of land”*, Section 11; and
  - *“Achieving well-designed places”*, Section 12.

## 4.0 Conformity with Local Plan Policies

### Hertsmere Core Strategy, 2013

#### **SP1 – Creating Sustainable Development.**

4.1 Before considering the scheme against Policy SP1 it is important to clarify that the NPPF instructs LPAs to apply a presumption in favour of sustainable development, which is covered in detail in Section 5.

4.2 In respect of the relevant criteria of Policy SP1:

- (i) the proposal creates a safe, accessible and healthy living environment;
- (ii) the Tree Constraints Plan (Ref: TCP 7750), confirms there will be no harm to the protected tree in the rear garden of no. 46 because its canopy and RPA do not extend as far as the boundary of the Site;
- (iv) the new dwelling is of high-quality design and appropriate in scale, appearance and function to the local context; and
- (v) there is no prejudice to the built environment

#### **CS22 Securing a High Quality and Accessible Environment.**

4.3 As set out above, the proposal is for an attractive family home of high quality which complements the existing dwelling and is in keeping with the local area. Policy CS22 references the Planning and Design Guide SPD which is addressed below (from paragraph 4.7).

### Site Allocations and Development Management Policies Plan, 2016

4.4 **SADM12 Trees, Landscaping and Development.** The AIA confirms no healthy trees will be lost.

4.5 **SADM30 Design Principles.** In respect of development which “*will be permitted*”:

- (i) the proposal makes a positive contribution to the built environment by meeting a family’s housing need which;
- (ii) complements the local character of the area; and which
- (iii) results in high-quality design.

That high quality design is achieved because:

- (i) as confirmed by the Proposed Elevations & Floor Plans and by the Existing and Proposed Street Scenes, the scale, mass, bulk, height and urban form of the proposed family home is proportionate and respects the visual amenity of the area; and
- (ii) no harm will be caused to the amenity of the occupiers and neighbours.

#### **Radlett Neighbourhood Plan, 2021**

4.6 **HD3 Respecting and Enhancing Local Townscape and Landscape Character and Patterns.** As required by this Policy, the proposal reflects the local character and residential amenity. The Radlett Character Assessment refers only to bungalows and, so, is not relevant. In respect of the Radlett Design Code, the proposal can be seen to be fully compliant with the relevant criteria.

- The plot coverage respects its surroundings.
- As demonstrated by the Existing and Proposed Street Scenes, the ridge height is respectful of neighbouring properties.
- Gates – not relevant.
- Front garden – not relevant.
- Spacing between dwelling and boundary – is unchanged.
- Building materials – will match the existing and, so, are entirely in keeping.
- Parking, refuse and recycling – no changes.
- Highways boundaries – no changes.
- Grass verge and highways trees – not relevant

#### **Planning and Design Code Part E: Guidelines for Residential Extensions and Alterations, 2006**

4.7 Because it was published in 2006, six years before the first iteration of the NPPF, the age and content of Part E must be taken into account when considering applications in 2023, particularly as it makes no reference to the presumption in favour of sustainable development.

4.8 **Two storey front extension** – Section 5 of Part E covers ‘Front extensions and porches’. The proposed front extension has been reduced from the previous scheme. It is, quite clearly, larger than a porch but this is acceptable because it is neither bulky nor out-of-character and does not harm the appearance of the house or the street (as confirmed by the Proposed Elevation & Floor Plans and the Proposed Street Scene). Furthermore, criterion (b) specifically allows larger front extensions when, as here, the front elevation is staggered. The proposed front extension does not cross a 45-degree line and includes neither a crown roof nor a separate entrance. The materials will match the existing.

4.9 **First floor side extension** – Section 4 of Part E. The introductory text to this section states:



*“The need for additional living accommodation must be balanced against the need to prevent an extension harming the outlook, privacy and daylight enjoyed by neighbouring properties, the character of the house and the appearance of the street.”*

4.10 The Council agreed that the previous scheme would cause no harm to outlook, privacy or daylight. The drawings and the Existing and Proposed Street Scenes demonstrate there will no harm to the character of the house or to the appearance of the street scene.

4.11 **Part single, part two storey rear extension.** Sections 1 and 3 of Part E. The introductory texts to these sections state, respectively:

*“Your need for space must be balanced against the need to prevent your extension adversely affecting adjoining residents or the character of the area.”*

and

*“Two storey and first floor rear extensions can provide additional accommodation for some properties but are capable of having a more negative impact on the neighbouring houses than single storey extensions. The double height of these extensions can lead to overshadowing and blocking-in of adjoining houses and gardens.”*

4.12 The Council accepted that the previous scheme would have no harmful effect on adjoining residents. In my view there is clearly no harm to the character of the area either. Thus, the part single storey, part two storey rear extension must be considered policy-compliant.

4.13 It must be noted that Sections 1 and 3 of the Code raise concerns about crown roofs because of their potential to detract from the existing dwelling and/or the character of the area. However, the existing dwelling already has a crown roof and, so, the principle is already established. In addition, as can be seen in photo 1 below, crown roofs are a common characteristic of the area. Consequently, the crown roof is acceptable in this case, too.



Photo 1: Crown roofs are a common feature of dwellings in the area. (Front part of the Appeal Site identified with red lines) © Google Earth, 2023

- 4.14 **Conversion of loft to form habitable space including rear dormer and rooflights.** Section 6 of the Code. Another common characteristic of roofs in the area is their elaborate designs (see Photo 1 above). None of the illustrative figures in Section 6 includes roof forms of similar complexity to those that help give the dwellings in Newberries Avenue their visual appeal. Certainly, there is nothing like the roof form of the existing dwelling with its numerous roof slopes and crown roof elements. Consequently, as required by policy, the raising of the ridge height and the proposed crown roof are acceptable in the context of the existing dwelling and area.
- 4.15 In respect of the relevant criteria for dormer windows, the proposed dormer is compliant because it: does not affect the street scene; is on a rear roof slope; takes up less than 60% of the roof face; is centrally positioned; is 30cm from the ridge height; and will use materials and fenestration to match the existing.
- 4.16 The guidance for rooflights states they *“should be kept to a minimum and limited to rear elevations”*. With respect, guidance which supports just one rooflight (i.e. the minimum) on one elevation, is considered to be unduly restrictive and, perhaps, reflects the age of the Design Code (see paragraph 4.7 above). Today, rooflights are a common feature of family homes, including on front elevations in Conservation Areas. The Appeal site is not in a designated area.

4.17 Indeed, it can be seen from Photo 1 above and the Existing and Proposed Street Scene that the Council considered it acceptable for no. 46 Newberries Avenue to have at least three rooflights, two on the side elevation and one on the front elevation. Consequently, the two rooflights proposed on a side elevation here, should be considered acceptable, too.

4.18 **Alterations to fenestration.** Under its key principles for extensions, the Code states: *“If windows are proposed in the side wall, they should be at a high level and non-opening or fitted with obscure glass”*.

4.19 To prevent adverse overlooking, the first-floor side windows will be obscured. This can be guaranteed through a suitable Condition.

#### **Conclusion on Local Policy and Guidance**

4.20 Other than the inclusion of two rooflights on a side elevation, which fails to accord with one element of one section of one of the relevant documents, this proposal to enlarge a family home in a manner which causes no harm to neighbours’ amenity or the character and appearance of the area, is clearly in general accordance with the spirit and detail of local policies and guidance.

4.21 As set out in Section 5 below, it is also a reasonable example of sustainable development and, so, fully compliant with Policy SP1 and the NPPF.

## 5.0 Sustainable Development

5.1 At paragraph 7, the NPPF states:

*“The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.”*

5.2 At paragraph 10, the NPPF explains:

*“So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.”*

5.3 Self-evidently, the proposal will meet the needs of the applicants (the present generation), and can reasonably be expected to meet needs of future owners of the property, too. Given the Council accepts that the scheme will cause no harm to the amenity of neighbours, there is no reason to suspect the enlarged family home will compromise the ability of future generations to meet their needs.

5.4 Furthermore, the proposal can be seen to achieve key elements of the three objectives of sustainable development NPPF, paragraph 8):

- a) as an existing residential plot in a District dominated by Green Belt, this is the right type of land and the right place for residential development;
- b) as demonstrated, the proposal will meet the needs of present and future generations; and
- c) the scheme makes effective use of land without harming the historic, built or natural environment.

5.5 In my view, the scheme is, without doubt, a reasonable example of sustainable development.

## **6.0 Conclusion**

- 6.1 This is a householder application to redevelop a family home to create more space to meet the applicants' changing needs.
- 6.2 It has evolved from a previous scheme that the Council considered to be over-development and harmful to the local area. Together, with the Arboricultural Impact Assessment and the comprehensive suite of drawings, this Statement has demonstrated that the proposal is, in fact, respectful of the existing house and wholly appropriate for the character and appearance of the immediate area.
- 6.3 The DAS has also demonstrated that the proposed extensions are policy-compliant and a good example of sustainable development which will meet the present needs of the family without compromising the needs of others, either now or in the future. Consequently, in accordance with paragraph 11c of the NPPF, it is respectfully requested that permission is granted without delay.

Brian Parker  
BA MSc MRTPI  
December 2023