

9. 18/0307/FUL - Single storey front extension and two storey rear extension at 1 MANSFIELD COTTAGES, CHORLEYWOOD BOTTOM, CHORLEYWOOD, HERTS, WD3 5JG for Mr R Shine (DCES)

Parish: Chorleywood

Ward: Chorleywood South and Maple Cross

Expiry of Statutory Period: 5 April 2018

Case Officer: Suzanne O'Brien

Recommendation: That Planning Permission be granted.

Reason for consideration by the Committee: The application has been called in by Chorleywood Parish Council.

1. Relevant Planning History

1.1 8/552/87 - Conversion of 2 cottages into 4, Alterations & Additions – Permitted - 22.10.1987

1.2 17/2056/FUL - Single storey front extension and two storey rear extension – Refused - 27.11.2017

Refused for the following reason:

The two storey rear extension, by virtue of its width, depth and design would result in an obtrusive and incongruous development which would result in a prominent feature within the street scene and Conservation Area. The harm would be exacerbated by the prominent and conspicuous location of the application dwelling along Chorleywood Bottom. The proposed size and scale of the two storey rear extension would therefore be harmful to the character and appearance of the Chorleywood Common Conservation Area and visual amenities of the street scene and would therefore be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies document (adopted July 2013) and the Chorleywood Common Conservation Area Appraisal (adopted February 2010).

2. Description of Application Site

2.1 The application site contains an end of terrace two storey dwelling located within Chorleywood Common Conservation Area. The application dwelling forms the end terrace of a row of four two storey Cottages named Mansfield Cottages; the flank elevation and boundary of the site runs along Chorleywood Bottom. The application dwelling is readily visible from public vantage points along the adjacent highway. The rear elevations of the cottages are also visible from The Common to the north east where the views are facilitated by the fact that the land levels to the north east rise up steeply. The two storey rear projection serving the application dwelling is set in from the south west elevation; the flank elevation facing Chorleywood Bottom is therefore stepped.

2.2 Mansfield Cottages are served by two storey pitched roof gabled projections and a ground floor mono pitched projection of a similar scale and appearance. With the exception of Number 4 Mansfield Cottage the end terrace to the north east. Number 4 has been previously extended to the rear including an extension to the existing gable end and the insertion of a first floor rear gabled projection. The bulk of Number 4 Mansfield Cottage is therefore greater in scale to that of the other cottages.

2.3 Mansfield Cottages are served by a private parking area to the front with a pedestrian path running along the front of the properties.

- 2.4 Number 2 is the adjoining terrace and has a similar building line to that of the application dwelling. The front elevations of the neighbouring properties to the east face the flank boundary of the application site. The flank elevation of the neighbouring property to the rear faces the rear boundary of the application site.

3. Description of Proposed Development

- 3.1 This application seeks full planning permission for the construction of a single storey front extension and two storey rear extension.
- 3.2 The proposed two storey rear extension would have a maximum depth of 3.2m along the eastern elevation and 2m along the western elevation and would have a width of 5.8m at ground and first floor level. The proposed extension would extend the existing gable projection; this aspect would have a gable end with a pitched roof with a height to match the existing gable feature. The eastern aspect would have a flat roof with a height of 4.9m.
- 3.3 The single storey front extension would project 1.2m forward of the existing front building line and would have a width of 6.6m. It would have a mono pitched roof form with a height of 3.5m with a central gable feature serving the entrance.
- 3.4 Fenestration would be inserted within the front, side and rear elevations of the development.
- 3.5 The plans have been amended reducing the depth of the flat roof extension along the north east elevation by 1.2m.

4. Consultation

4.1 Statutory Consultation

4.1.1 Chorleywood Parish Council: [Object]

The Committee had Objections to this application on the following grounds and wish to CALL IN, unless the Officers are minded to refuse this application.

** The impact on the street scene*

** As the properties are built edge on a front extension and 2 storey rear extension will be very visible - CP12*

** The percentage increase*

** The development will be in front of the building line*

** The property is located in the Chorleywood Conservation Area DM3*

There were no documents on line to see any alterations, therefore our position remains.

- 4.1.2 Conservation Officer: No comments received at the time of writing this report. The Committee will be verbally updated of any comments received.

4.1.3 National Grid: [No objections]

4.2 Public/Neighbour Consultation

- 4.2.1 Number consulted: 8 No responses received: 0
- 4.2.2 Site Notice Expired: 8 March 2018 Press Notice Expired: 9 March 2018
- 4.2.3 Summary of Responses: Not applicable.

5. Reason for Delay

5.1 Not applicable.

6. Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

On 27 March 2012, the framework of government guidance in the form of Planning Policy Statements and Planning Policy Guidance Notes was replaced by the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

6.2 The Three Rivers Local Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP9, CP10 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM3, DM6, DM13 and Appendices 2 and 5.

6.3 Other

The Chorleywood Common Conservation Area Appraisal (adopted February 2010) would be applicable to this application.

The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

7. Planning Analysis

7.1 Design and Impact on Street Scene and Conservation Area

- 7.1.1 Policy CP1 of the Core Strategy seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy relates to design and states that in seeking a high standard of design, the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'.
- 7.1.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not have a significant impact on the visual amenities of the area. Extensions should not be excessively prominent and should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials. Oversized, unattractive and poorly sited additions can result in loss of light and outlook for neighbours and detract from the character and appearance of the original property and the general street scene.
- 7.1.3 As the site is located within the Chorleywood Common Conservation Area, Policy DM3 would be applicable. In relation to development within the Conservation Area Policy DM3 of the DMP LDD states:
- 'Within Conservation Areas development will only be permitted if the proposal:*
- i) is of a design and scale that preserves or enhances the character or appearance of the area;*
 - v) Does not harm important views into, out of or within the Conservation Area'.*
- 7.1.4 The proposed single storey front extension would bring the built form out forward of the adjoining neighbouring dwellings. However, due to the siting of the building with the flank elevation fronting the highway the proposed front extension would not result in an unduly prominent or contrived feature.
- 7.1.5 The two storey rear extension would be set 1.5m deeper than the existing gable projection to be constructed in line with the existing ground floor extension. The depth of the proposed extension would also be similar to that of Number 4 to the east. The proposed depth of the extension would not be significant or add unacceptable bulk and massing to the existing building. As the proposal would not result in any alterations to the width of the existing gable feature the scale of the proposed development would not appear disproportionate or contrived in relation to the adjoining cottages to the east. The proposed rear extension would therefore not result in an unduly prominent or contrived feature within the street scene.
- 7.1.6 The proposed development would extend the existing flat roof projection further rearwards. The flat roof feature would be set back from the proposed gable projection and project 0.3m beyond the rear elevation of Number 2. The set back of the proposed flat roof from the rear of the proposed extension and minimal projection beyond the rear of the neighbouring gable would prevent it from creating a prominent feature as viewed from public vantage points. The flat roof addition would not result in an incongruous addition or result in any harm to the character of the dwelling or Conservation Area.
- 7.1.7 This application has been submitted following the refusal of application 17/2056/FUL. With the exception of the extension to the existing flat roof currently proposed the bulk of the extension would maintain the height and width of the existing gable. The refused scheme however proposed to increase the width of the gable by 0.7m to be constructed in line with the western elevation. This increase in width emphasised the bulk and massing of the proposed development and would have resulted in an unduly prominent feature within the street scene. The refused scheme also proposed a lower eaves height along the western elevation introducing an unsymmetrical feature that would have been out of

character with the existing dwelling and neighbouring properties. The current scheme is of a smaller bulk and massing and the design reflects that of the existing built form and neighbouring properties. The current development would not result in a prominent feature and would not result in any harm to the visual amenities of the street scene.

7.1.8 The application site is located within Character Zone C of the Chorleywood Common Conservation Area Appraisal. The Chorleywood Common Conservation Area Appraisal highlights that the architectural style of Character Zone C is predominantly 20th Century. The proposed extension would not impact on the characteristics of Character Zone C of the Chorleywood Common Conservation Area.

7.1.9 The proposed development would therefore not result in a prominent or contrived feature and would not result in any harm to the character and appearance of the Chorleywood Common Conservation Area or visual amenities of the street scene. The proposed development would be in accordance with Policies CP1 and CP12 of the Core Strategy, Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD and the Chorleywood Common Conservation Area Appraisal.

7.2 Impact on amenity of neighbours

7.2.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Policy DM1 and Appendix 2 of the Development Management Policies document set out that residential development should not result in loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.

7.2.2 The deepest section of the proposed two storey extension would be constructed in line with the existing ground floor projection and would be set in 1.7m from the flank boundary with Number 2. Number 2 has the same building line as the application dwelling; the deepest part of the proposed extension would not intrude the 45 degree splay line taken from the ground floor rear elevation of Number 2 at a point on the joint boundary. The flat roof projection would extend 0.3m beyond the first floor rear line of Number 2 and would intrude the 45 degree splay line by 0.2m. The depth of the flat roof aspect in relation to Number 2 would not be significant and would not result in any loss of light or harm to the visual amenities of the neighbouring property. The proposed ground floor front extension would not be excessive in depth or height. The proposed size and scale of the development would therefore not result in any harm in terms of loss of light or impact on the visual amenities of Number 2.

7.2.3 Due to the siting of the dwelling relative to the other surrounding neighbouring properties the size and scale of the proposed development would not result in any harm to their residential amenities. No unacceptable overlooking into the surrounding neighbouring properties would result from the proposed development.

7.3 Amenity Space Provision for future occupants

7.3.1 Policy CP12 of the Core Strategy states that development should take into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space.

7.3.2 The proposed development would not materially encroach upon the existing rear amenity space provision and would not increase the number of bedrooms.

7.4 Wildlife and Biodiversity

7.4.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is

further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive.

7.4.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application.

7.4.3 The application has been submitted with a Biodiversity Checklist which indicates that no protected species would be affected by the proposed development.

7.5 Trees and Landscaping

7.5.1 Policy CP12 of the Core Strategy expects development proposals to 'have regard to the character, amenities and quality of an area', to 'conserve and enhance natural and heritage assets' and to 'ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features'.

7.5.2 Policy DM6 of the Development Management Policies document sets out requirements in relation to trees, woodlands and landscaping and sets out that:

- i) Proposals for new development should be submitted with landscaping proposals which seek to retain trees and other important landscape and nature conservation features. Landscaping proposals should also include new trees and other planting to enhance the landscape of the site and its surroundings as appropriate.
- ii) Development proposals on sites which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible, particularly those of local amenity or nature conservation value or hedgerows considered to meet the Hedgerow Regulations 1997.
- iii) Development proposals should demonstrate that existing trees, hedgerows and woodlands will be safeguarded and managed during and after development in accordance with the relevant standards.
- iv) Development should be designed in such a way as to allow trees and hedgerows to grow to maturity without causing undue problems of visibility, shading or damage. Development likely to result in future requests for significant topping, lopping or felling will be refused.
- v) Planning permission will be refused for any development resulting in the loss or deterioration to protected woodland (including ancient woodland), protected trees (including aged or veteran trees) and hedgerows, unless conditions can be imposed to secure their protection.

7.5.3 No trees would be affected by the proposed development.

7.6 Highways, Access and Parking

7.6.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means of access and to make adequate provision for all users, including car parking. Policy DM13 and Appendix 5 of the Development Management Policies document set out parking standards and advise that a four or more bedroom dwelling should provide parking for three vehicles.

7.6.2 The proposed development would not result in the addition of a bedroom and would not encroach upon the parking provision serving the dwelling.

8. **Recommendation**

8.1 That PLANNING PERMISSION BE GRANTED subject to the following:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2 The development hereby permitted shall be carried out in accordance with the following approved plans: TRDC 001 (Location Plan), 1724/1C, 1724/2.

Reason: For the avoidance of doubt and in the proper interests of planning and to safeguard the character and appearance of the Chorleywood Common Conservation Area, in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Chorleywood Common Conservation Area Appraisal (2010).

C3 Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

Reason: To ensure that the external appearance of the development is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the flank elevations or roof slopes of the extension/development hereby approved.

Reason: To safeguard the residential amenities of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

8.2 Informatives

I1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - If your development is liable for CIL payments, it is a requirement under Regulation 67 (1) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted

to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- 12 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 13 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.