

15. 18/2316/FUL – Alterations to front elevation to include smooth white render at 57 LOWER ROAD, CHORLEYWOOD, HERTS, WD3 5LA (DCES)

Parish: Chorleywood

Ward: Chorleywood South and Maple Cross

Expiry of Statutory Period: 25 January 2019

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 16/2225/FUL - Change of use from retail unit to residential dwelling, single storey rear extension and associated rear patio and creation of new vehicular access – Permitted - 03.04.2017 – The retail unit has been demolished.

2 Description of Application Site

- 2.1 The application site contains a semi-detached two storey property located along Lower Road. The property consists of a residential unit. Previously the property included a single storey commercial unit attached to the front of the dwelling. This single storey commercial projection has been demolished and the original front elevation is now exposed.
- 2.2 The dwelling has the same front building line as that of the neighbouring properties to the south east. The application dwelling and adjoining dwelling to the south east consist of a pair of semi-detached dwellings of similar design which also mirror the design of the neighbouring semis to the south east. These properties all have similar frontages in terms of design and materials. However, following the removal of the front projection the brickwork along the frontage of the building is discoloured and in a bad state of repair.
- 2.3 The neighbouring building to the north east is a three storey white rendered block of flats which extends beyond the front elevation of the application dwelling.

3 Description of Proposed Development

- 3.1 This application seeks planning permission for the alterations to the front elevation of the dwelling to include smooth white render.
- 3.2 The scheme proposes the installation of smooth white render to the ground floor level of the front elevation of the dwelling. The render would reach to a height of 2.8m above ground level. The render would cover the full width of the front elevation of the dwelling.
- 3.3 The plans have been amended reducing the scale of render so that only the bottom half of the front elevation of the dwelling would be rendered.

4 Consultation

4.1 Statutory Consultation

4.1.1 Chorleywood Parish Council: [Objects]

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

Requested render will be out of keeping and character with the street scene.

4.1.2 National Grid: No comments received.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 8

4.2.2 No of responses received: No objections received.

4.2.3 Site Notice Expired: 28 December 2018 Press notice: Not applicable.

4.2.4 Summary of Responses:

Not applicable.

5 Reason for Delay

5.1 No delay

6 Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

On 24 July 2018 the new National Planning Policy Framework was published. This is read alongside 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 2018 NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

The NPPF states that ‘good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’. 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, DM6, DM13 and Appendices 2 and 5.

6.3 Other

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 Impact on Street Scene

7.1.1 Policy CP12 of the Core Strategy stipulates that development proposals shall make efficient use of land whilst respecting the distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials. The Design Criteria as set out in Appendix 2 of the DMP LDD stipulates that development proposals must not be excessively prominent in relation to adjacent properties or to the general street scene; respect the character of the property/street scene particularly with regard to the roof form, positioning and style of windows and doors and materials.

7.1.2 The application dwelling is not located within a Conservation Area and is not visible from Chorleywood Station Estate Conservation Area. Lower Road contains both commercial and residential properties where the scale and architectural merits of the buildings vary significantly. For example, the application dwelling is a two storey dwelling of identical design to the adjoining semi and the semi detached dwellings to the south east. However the neighbouring property to the north west consists of a white rendered three storey block of flats that sits forward of the application dwelling. Furthermore, the application dwelling historically included a single storey flat roofed front projection that was in a commercial use; this provided a sense of variation between the application site and neighbouring dwellings to the south east. Following the demolition of the single storey front projection the current condition of the existing brick work was exposed.

7.1.3 The proposed render would make the building appear visually different to that of the neighbouring properties to the south east. However, the site is not located within a Conservation Area nor are the buildings listed or locally listed. The pre-existing single storey projection provided a sense of variation between the application site and neighbouring properties. Taking the varied nature of the street scene into consideration the proposed render would not result in the building appearing unduly prominent or contrived. Furthermore, the plans have been amended so that only the ground floor level is rendered and the top half would remain with facing brick as existing. This would maintain an element of symmetry between the application dwelling and neighbouring buildings to the south east. It should also be noted that the condition of the existing brickwork provides a sense of variation between the application dwelling and neighbouring dwellings and could remain in that state, or be painted under permitted development. The removal of the pre-existing single storey front projection has made a positive contribution to the visual amenities of the street scene and the addition of smooth render would help to rectify the current condition of the lower portion of the dwelling. The proposed development would therefore not result in any demonstrable harm to the visual amenities of the varied street scene in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the DMLDD.

7.2 Impact on amenity of neighbours

7.2.1 The proposed development would not result in any increase in the built form and would not result in any harm to the residential amenities of the neighbouring properties in terms of loss of light or harm to their visual amenities. No overlooking would result from the proposed development.

7.3 Parking and Amenity Space Provision

7.3.1 The proposal would not result in encroachment onto the existing amenity space or parking provision serving the dwelling.

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. The proposal is for rendering of the existing frontage of the building and would affect protected species.

7.5 Trees and Landscaping

7.5.1 No trees would be affected by the proposed development.

8 **Recommendation**

8.1 That PLANNING PERMISSION BE GRANTED subject to the following conditions:

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: LR57-03-1001, LR57-03-1002, LR-03-1003, LR57-03-1004, LR57-03-1006, LR57-03-1007, LR57-03-1008B

Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies CP1, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2, DM6, DM7 and DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

The render shall be carried out in accordance with the details as shown on Drawing Number LR57-03-1008B and permanently maintained thereafter.

Reason: To ensure that the external appearance of the building is satisfactory 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) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) (for self-build housing) 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 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.
- 13 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.