

8. 18/2431/FUL – Single storey side and rear extension and front porch canopy, two storey rear extension and first floor side extension with alterations to frontage at 12 BRUSHWOOD DRIVE, CHORLEYWOOD, WD3 5RT

Parish: Chorleywood Parish Council

Ward: Chorleywood South and Maple Cross

Expiry of Statutory Period: 7 February 2019

Case Officer: Freya Clewley

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: Called in to Planning Committee by Chorleywood Parish Council.

1 Relevant Planning History

- 1.1 18/1504/PDE – Prior Approval: Single storey rear extension (maximum depth 7.6 metres, maximum height 4 metres, maximum eaves height 2.7 metres) – Withdrawn 25.07.2018.
- 1.2 18/1554/FUL – Single storey side and rear extension and front porch canopy, two storey rear extension and alterations to frontage – Permitted 19.10.2018.

2 Description of Application Site

- 2.1 The application site is rectangular in shape and is located on the north western side of Brushwood Drive, Chorleywood. The application site comprises a two storey detached dwelling finished in mixed red brick with a dark tiled hipped roof form. There is hardstanding to the frontage with space for one vehicle. The south western aspect of the frontage comprises an area of lawn and soft landscaping with a low level bricked wall along the front boundary of the application site. To the rear, a patio area abuts the rear elevation of the dwelling leading to an area of lawn and soft landscaping. Close boarded fencing and high hedging and vegetation encloses the rear amenity space provision.
- 2.2 The neighbour to the south west, number 14 Brushwood Drive, comprises a two storey detached dwelling which is located at a higher land level on the same building line as the host dwelling. This neighbour has benefitted from various extensions and alterations including front extensions and part single, part two storey rear extensions. This neighbour is finished in buff brick and white render with a timber pitched roof porch structure to the frontage.
- 2.3 The neighbour to the north east, number 10 Brushwood Drive, comprises a two storey detached dwelling of a similar architectural style and design to the host dwelling. This neighbour has an existing flat roof front dormer and a single storey rear extension extending beyond the existing rear elevation of the application dwelling. This neighbour is built at a lower land level on the same building line as the application dwelling.

3 Description of Proposed Development

- 3.1 This application seeks full planning permission for the construction of a single storey side and rear extension and front porch canopy, a two storey rear extension and first floor side extension with alterations to the frontage. The proposal would result in a five bedroom dwelling (two additional bedrooms).
- 3.2 The proposed single storey extension would hold a width of 2.5m to the frontage, constructed to the south western flank of the host dwelling in line with the existing front elevation of the application dwelling. The extension would hold a maximum depth of 13.1m, extending approximately 4m beyond the existing rear elevation of the host dwelling. The extension would hold a width of 10.1m across the rear elevation of the dwelling. The proposal would include the construction of an open pitched roof canopy to the frontage

which would hold a depth of 1.5m and a width of 2.5m. The extension would have a hipped roof form with a flat section where the roof abuts the dwelling with a maximum height of 3.5m, sloping down to an eaves height of 2.3m. A standard door with two single-casement panels either side would be inserted within the front elevation of the extension with bi-folding doors proposed within the rear elevation of the extension. Four rooflights are proposed within the south western flank roofslope of the single storey extension and one rooflight is proposed within the north eastern roofslope of the extension, serving the ground floor accommodation.

- 3.3 At first floor level, the proposed two storey rear extension would be constructed in line with the existing main two storey flank elevations of the dwelling, extending approximately 3.3m from the north eastern flank and 3.3m from the south western flank. Given the existing stepped building line, the extension would extend approximately 1.6m deeper from the south western flank than the north eastern flank. The extension would have a hipped roof form with a maximum height of 7.4m, sloping down to an eaves height of 5.2m. The extension to the north eastern aspect of the rear elevation would be set down approximately 0.3m from the maximum ridge of the host dwelling with a maximum height of 7.1m, sloping down to an eaves height of 5.2m. The proposed first floor fenestration comprises a three-casement window and two-casement window within the rear of the extension and no additional first floor flank fenestration is proposed.
- 3.4 The proposal would include the construction of a first floor side extension to the north eastern flank of the host dwelling, infilling the recessed aspect of the frontage and replacing the existing catslide roof with true first floor accommodation. The extension would have a depth of 1.3m, set back 0.3m from the main two storey front elevation and a width of 2.7m, constructed in line with the existing north eastern flank elevation. This element would have a hipped roof form with a maximum height of 7.1m, sloping down to an eaves height of 5.2m, set down 0.3m from the maximum ridge of the host dwelling. A two-casement window is proposed at first floor level within the front elevation of the extension.
- 3.5 The proposed alterations to the frontage would include an extension to the existing hardstanding to provide off street parking for three vehicles.
- 3.6 Amended plans were received during the course of the application to reduce the depth of the ground and first floor rear extensions such that the proposed side and rear extensions are the same depth and width as the previously approved extensions under application reference 18/1554/FUL.
- 3.7 The description of the application is similar to that of 18/1554/FUL which was permitted in October 2018. Following the receipt of amended plans during the course of this application, the only difference between the current application and permitted scheme is the inclusion of a small first floor side infill extension to the front to incorporate an en-suite bathroom. A first floor flank window has also been omitted and three parking spaces are now shown to the frontage where there were previously two spaces proposed.

4 Consultation

4.1 Statutory Consultation

4.1.1 Chorleywood Parish Council: [Objection]

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 proposed development is a significant change*

**Concern with the 45 degree angle due to slope of property and surrounding area.*

**The impact of the slope would make the extension appear as two storey development.*

**The prominent and unsympathetic development would be to the detriment of the premises*

** Minimal parking for a large residential property.*

The development would therefore be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1, DM13 of the Development Management Policies document (adopted July 2013).

4.1.2 National Grid: No response received.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 8 No of responses received: 4

4.2.2 Site Notice: Not required. Press notice: Not required.

4.2.3 Summary of Responses:

- Current application increases the size of the extension so that it will protrude at first floor level by a further 1.2 metres having an overbearing impact on neighbouring property.
- Impact of extension is magnified by height difference as Brushwood Drive is on a slope.
- Proposed two storey extension will feel like a three storey building in close proximity to neighbouring property.
- Additional 1.2m at first floor level will protrude well beyond rear of neighbouring property, dominating the rear of the house and garden restricting light into property and increasing shade in garden for most of the day.
- If it is proposed to extend the ground floor further out at the back, this would also be overbearing due to the difference in height and proximity to the boundary. Not clear if this is proposed as it is difficult to reconcile the drawings and measurements.
- I do not see how 3 accessible spaces can be achieved given the site plan presented without taking out the entire grass verge in front of the house and replacing with a dropped kerb. This would not be in keeping with the rest of the road and any reduction of greenery should be avoided.
- Without the correct amount of off road parking the amount of on road parking increases which makes manoeuvring in and out of drives opposite the parked cars and around the parked cars whilst driving along the road dangerous and difficult.
- Overdevelopment of the site: The floor space of dwelling is proposed to increase by 100% extending further to the rear.
- First floor extension of 4.5m would be unduly prominent.
- Detrimental impact on the outlook and light for 14 Brushwood Drive.
- The plan to provide 5 bedrooms is not supported by the Three Rivers Planning Policy (clause 5.22)
- Plans do not take into account issues of access, manoeuvrability and space for loading and unloading.
- Site Plan of 14 Brushwood Drive is inaccurate as it shows the patio area as if it was part of the structure of the house.
- No inspection was undertaken by the planning officer in respect of the previous application to see the impact on 14 Brushwood Drive. These new proposals impact 14 Brushwood Drive much more seriously.
- Fourth application made in the last six months. The first was withdrawn, second amended to reduce its impact, third was considered at committee and now the latest scheme is larger than the original second application.
- Building work in the area has a reputation for damaging grass verges. Please ensure the builders and third party suppliers minimise the damage to the verge on both sides of the street during construction and make good any damage on completion.
- Health concerns from resultant building work dust.

Officer Comment: *'All material planning considerations are outlined within the relevant analysis sections below. In relation to Housing Mix and Density within the District set out within Policy CP3 of the Core Strategy, this relates to new housing proposals and as such, is not relevant in this instance. In relation to the concerns raised regarding damage to grass verges during the construction period, an informative would be added to any granted consent to advise the applicant that any damage to the grass verge will be required to be repaired at the expense of the applicant.'*

5 Reason for Delay

5.1 Committee cycle.

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, DM10, 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 Character and Street Scene

- 7.1.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) 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'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.
- 7.1.2 In relation to single storey side and rear extensions, Appendix 2 of the Development Management Policies document states that the proximity to the flank boundary will be individually assessed and that generally, single storey rear extensions to detached dwellings should not exceed a maximum depth of 4m. Appendix 2 states, in relation to two storey rear extensions that in terms of size and volume, each application will be assessed on its individual merits according to the characteristics of the particular property.
- 7.1.3 The proposed single storey side extension would be set in approximately 0.5m from the south western flank boundary and it would hold a width of 2.5m from the south western flank of the host dwelling. The extension would have a hipped roof form away from the south western flank boundary. There is variation within the streetscene of Brushwood Drive in terms of extensions and alterations with single storey side extensions readily present. Furthermore, given the single storey nature of the side extension, that the side extension would be set in 0.5m from the south western flank boundary and the width and hipped roof form of the proposed extension, it is not considered that the single storey side extension would appear unduly prominent within the streetscene of Brushwood Drive or result in demonstrable harm to the character or appearance of the host dwelling, streetscene or wider area.
- 7.1.4 The proposed single storey rear extension would hold a depth of 4m from the existing deepest aspect of the rear elevation of the dwelling, therefore complying with the guidance set out within Appendix 2 of the Development Management Policies document. Furthermore, it is noted that neighbouring properties have implemented single storey rear extensions with similar depths and given the depth, hipped roof form and design of the proposed extension as well as the siting of the proposed extension to the rear, it is not considered that this element would appear unduly prominent or result in demonstrable harm to the character or appearance of the host dwelling, streetscene or wider area.
- 7.1.5 The proposed pitched roof front porch canopy would hold a depth of 1.5m and a width of 2.5m and it would be of a similar style and design to the open canopy already in situ at number 14 Brushwood Drive. Given the existing variation within the streetscene and the scale of the proposed front canopy, it is not considered that this element would result in any harm to the character or appearance of the dwelling or streetscene.
- 7.1.6 The proposed two storey rear extension would be sited to the rear of the dwelling and it would be constructed in line with the existing main two storey flank elevations of the host dwelling. Furthermore, the extension would hold a depth of 3.3m from the north eastern flank and south western flank and would retain the existing stepped elevation to the rear with the south western flank extending approximately 1.6m deeper than the north eastern

flank. The extension would have a hipped roof form, reflecting the existing roof form of the dwelling. Therefore, given the depth, height, siting, roof form and design of the proposed two storey extension, it is not considered that this element would appear unduly prominent or result in any adverse impact to the character or appearance of the host dwelling, streetscene or wider area.

- 7.1.7 The proposal would include the construction of a first floor side extension, infilling the existing recessed north eastern aspect of the front elevation. The extension would be set back 0.3m from the main two storey front elevation and would be constructed in line with the existing north eastern flank of the dwelling, with a hipped roof form reflecting the existing roof form of the dwelling. Therefore, given the scale of the proposed extension, that the extension would be constructed in line with the existing north eastern flank of the dwelling and set back 0.3m from the main two storey front elevation of the dwelling and the hipped roof form of the proposed extension, it is not considered that this element would appear unduly prominent within the streetscene or result in demonstrable harm to the character or appearance of the host dwelling.
- 7.1.8 The proposed development would result in additional glazing comprising of bifolding doors within the rear elevation of the extension, rooflights within the north eastern and south western flanks of the extension and one two-casement window within the north eastern flank elevation at first floor level. Given the siting of the proposed glazing, it is not considered that the additional fenestration would result in any adverse impact to the character or appearance of the dwelling, streetscene or wider area.
- 7.1.9 In summary, whilst the proposed development would increase the size and scale of the host dwelling, it is not considered that the proposal would appear excessively prominent within the streetscene, or disproportionate in relation to the application dwelling or to other dwellings within the vicinity. The proposed development would therefore accord with Policy DM1 and Appendix 2 of the Development Management Policies document (adopted July 2013).

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 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 To ensure that loss of light would not occur to the habitable rooms of neighbouring dwellings as a result of new development, the Design Criteria at Appendix 2 of the Development Management Policies document advise that two storey development should not intrude a 45 degree spay line across the rear garden from a point on the joint boundary, level with the rear wall of the adjacent property. This principle is dependent on the spacing and relative positions of properties and consideration will be given to the juxtaposition of properties, land levels and the position of windows and development on neighbouring properties.
- 7.2.3 The Residential Design Criteria at Appendix 2 of the Development Management Policies document also advise that in the interests of privacy and to prevent overlooking, windows of habitable rooms at first floor level and above should not generally be located in flank elevations. Flank windows of other rooms should be non-opening, below 1.7m from internal floor level and obscure glazed.
- 7.2.4 The proposed two storey rear extension would not intrude a 45 degree splay line when taken from the boundary in line with the two storey rear elevation of the neighbour to the south west, number 14 Brushwood Drive. In addition, this neighbour is set at a higher land level than the host dwelling on the same building line and has an existing part single, part

two storey rear extension, albeit set in from the shared boundary with the application site. The proposed first floor element of the extension would be set in approximately 3.3m from the south western flank boundary and would hold a depth of approximately 3.3m from the existing main two storey rear elevation of the host dwelling. Therefore, given the depth, hipped roof form, existing site circumstances and that the extension would be set in approximately 3.3m from the shared south western boundary at first floor level, it is not considered that the two storey rear extension would result in loss of light to this neighbour or appear overbearing.

- 7.2.5 The proposed two storey rear extension would intrude a 45 degree splay line by approximately 0.5m when taken from the boundary in line with the two storey rear elevation of the neighbour to the north east, number 10 Brushwood Drive. Whilst the extension would intrude a 45 degree splay line when taken from a point on the shared boundary in line with the main two storey rear elevation of this neighbour, it is noted that this neighbour has an existing single storey side aspect built close to the shared boundary with the application site and the main two storey body of this neighbour is set in approximately 2m from the shared boundary. Furthermore, the north eastern flank of the application dwelling is set in approximately 1.2m from the shared boundary and the proposed two storey extension would be built in line with this existing flank elevation. It is also acknowledged that this neighbour has an existing single storey rear extension with a depth of approximately 4m, and when taken from a point on the shared boundary in line with the existing extension to the rear of this neighbour, the proposal does not intrude a 45 degree splay line. Therefore, given the existing site circumstances, the spacing between the application dwelling and the neighbour to the north east, the depth, height and hipped roof form of the proposed extension and that the neighbour to the north east has an existing single storey rear extension, it is not considered that the proposed two storey rear extension would result in loss of light or appear overbearing so as to justify the refusal of planning permission in this regard.
- 7.2.6 The proposed single storey side extension and front porch canopy would be constructed to the south western flank of the host dwelling, thus would not result in loss of light or appear overbearing to the neighbour to the north east given the siting of these proposed elements. Whilst the proposed side extension and front porch canopy would extend from the flank closest to the neighbour to the south west, considering the changing land levels, that the neighbour to the south west is located at a higher land level as well as the existing site circumstances, boundary treatment, the height of the proposed extension and that the proposed extension would be set in approximately 0.5m from the shared boundary with this neighbour, it is not considered that the proposed side extension and front porch canopy would appear overbearing or result in loss of light to this neighbour.
- 7.2.7 The proposed single storey rear extension would hold a depth of 4m from the existing deepest aspect of the rear elevation of the host dwelling. The single storey rear extension would be set in 1.2m from the shared north eastern flank boundary and it would extend approximately 1m beyond the existing single storey rear extension of the neighbour to the north east. Therefore, given the existing site circumstances and boundary treatment, the depth and height of the proposed extension and that the neighbour to the north east has an existing extension with a similar depth, it is not considered that this element would appear overbearing or result in any loss of light to the neighbour to the north east.
- 7.2.8 The proposed single storey rear extension would be set in approximately 0.5m from the shared south western boundary. Whilst the proposed extension would extend approximately 4m beyond the rear elevation of the neighbour to the south west as the extension to the rear of this neighbour is set in approximately 6m from the shared boundary with the application site, it is noted that this neighbour is at a higher land level, and given the existing boundary treatment and site circumstances, the depth height and hipped roof form of the extension and the relationship between the application dwelling and this neighbour, it is not considered that the proposed single storey rear extension would result in any loss of light or appear overbearing to this neighbour.

- 7.2.9 The proposed first floor side infill extension would be constructed to the north eastern aspect of the front elevation of the dwelling, and would be set back 0.3m from the main two storey front elevation. Therefore, it is not considered that this element would result in any harm to the neighbouring properties to the south west. The first floor extension would be constructed in line with the existing north eastern flank of the dwelling, set in 1.2m from the north eastern flank boundary. In addition, this element would replace the existing catslide roof element to the frontage, thus would not encroach any closer to the neighbour to the north east. The proposed extension would have a hipped roof form set down 0.3m from the maximum ridge of the host dwelling. Therefore, given the width, depth, height and hipped roof form of the side extension, it is not considered that this element would result in loss of light or appear overbearing to the neighbour to the north east.
- 7.2.10 The proposed rooflights within the north eastern and south western roofslopes of the proposed single storey extension would serve the ground floor and would not result in unacceptable overlooking. The proposed fenestration within the rear elevation at ground floor level would have an outlook of the rear amenity space of the application site and would not result in unacceptable overlooking to any neighbouring amenity. The proposed three-casement window and two-casement window at first floor level within the rear elevation would replace existing windows, and whilst some views of neighbouring gardens may be available, the views available from the proposed window would not be significantly different to those views already available and therefore it is not considered that these window would result in unacceptable overlooking so as so justify the refusal of planning permission. The three two-casement windows at first floor level within the south western flank elevation and the three-casement window at first floor level within the north eastern flank elevation are existing windows and as such, it is not considered reasonable to attach a condition to require these windows to be obscurely glazed and top level opening as they are not currently in this state. Notwithstanding the above, given the proximity of the proposed extensions to neighbouring properties, it is considered reasonable to attach a condition to any planning permission to restrict any additional openings from being inserted within the flank elevations of the proposed development.
- 7.2.11 In summary, subject to conditions, the development is considered acceptable in terms of its impact on neighbouring residential amenity in accordance with Policy CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies document.

7.3 Quality of Accommodation for Future Occupants

- 7.3.1 Whilst it is acknowledged that the proposed Bedroom 4 would be served solely by a first floor flank window, in this case a first floor two-casement window within the south western flank elevation, this window is not an additional window as it is currently in situ. Furthermore, this window is not currently obscurely glazed or top level opening and therefore, as this case is a historic circumstance, it is not considered reasonable to attach a condition to any granted consent to require any of the existing first floor flank fenestration to be obscurely glazed and top level opening.

7.4 Amenity Space Provision for Future Occupants

- 7.4.1 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.
- 7.4.2 The proposed development would result in a five bedroom dwelling. Appendix 2 of the Development Management Policies document outlines that a four bedroom dwelling should retain 126sqm of usable, private amenity space. The application dwelling would retain over 570sqm of amenity space to the rear and as such, would exceed the requirements set out within Appendix 2 in this regard.

7.5 Wildlife and Biodiversity

- 7.5.1 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.
- 7.5.2 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.
- 7.5.3 The application has been submitted with a Biodiversity Checklist which stated that no protected species or biodiversity factors will be affected as a result of the application. The Local Planning Authority is not aware of any protected species within the immediate area that would require further assessment; however given the development would affect the roofspace of the dwelling, an informative would be attached to any consent to advise the applicant of what to do should bats be discovered during the course of the development.

7.6 Trees and Landscaping

- 7.6.1 Policy DM6 of the Development Management Policies document sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.
- 7.6.2 The application site is not located within a Conservation Area nor are there any protected trees on or near the site. As such, it is not considered that the proposed development would result in any harm in this respect.

7.7 Highways, Access and Parking

- 7.7.1 Policy DM13 of the Development Management Policies document requires development to make provision for parking in accordance with the parking standards set out at Appendix 5 of the Development Management Policies document.
- 7.7.2 The application dwelling is currently a three bedroom dwelling; there is currently hardstanding to the frontage with space for one vehicle. It is noted that there is currently a shortfall of one parking space, given the existing parking provision onsite. It is noted that the proposal would result in a five bedroom dwelling. Appendix 5 of the Development Management Policies document sets out that a dwelling with four or more bedrooms should provide 3 onsite parking spaces.
- 7.7.3 The proposed block plan indicates alterations to the frontage to provide two additional parking spaces, increasing the onsite parking provision from one space to three spaces. The number of bedrooms onsite would also be increased from three bedrooms to five bedrooms thus the parking provision required onsite would increase from two spaces to three spaces.
- 7.7.4 It is acknowledged that concerns have been raised in relation to the accessibility of the parking spaces. Notwithstanding this, the parking area of the frontage would have a width of 8.4m and a depth of 4.9m and the existing retaining wall to the frontage would be relocated around the entrance and parking spaces. Given the relocation of the wall, it is considered that it would be possible to access the three spaces via the existing dropped kerb and as such, the proposal is considered to be acceptable in this regard.

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: E100, E101, LP01.1, P101.1, P102.1 and SP01.2.
Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).
- 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 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).
- 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) - 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 Bats are protected under domestic and European legislation where, in summary, it is an offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in a roost or deliberately disturb a bat in a way that would impair its ability to survive, breed or rear young, hibernate or migrate, or significantly affect its local distribution or abundance; damage or destroy a bat roost; possess or advertise/sell/exchange a bat; and intentionally or recklessly obstruct access to a bat roost.

If bats are found all works must stop immediately and advice sought as to how to proceed from either of the following organisations:

The UK Bat Helpline: 0845 1300 228

Natural England: 0300 060 3900

Herts & Middlesex Bat Group: www.hmbg.org.uk

or an appropriately qualified and experienced ecologist.

(As an alternative to proceeding with caution, the applicant may wish to commission an ecological consultant before works start to determine whether or not bats are present).

- 14 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.