

## PLANNING COMMITTEE – 21 APRIL 2022

### PART I - DELEGATED

8. **22/0425/FUL- First floor front extension, loft conversion including increase in ridge height, rear dormer windows, front rooflights, front porch and alterations to fenestration at 69A HIGHFIELD WAY, RICKMANSWORTH, HERTS, WD3 7PP (DCES)**

Parish: Chorleywood Parish Council  
Expiry of Statutory Period: 06.05.2022

Ward: Rickmansworth Town  
Case Officer: Lauren Edwards-Clewley

Recommendation: That Planning Permission be Granted

Reason for consideration by the Committee: Called in by Chorleywood Parish Council unless Officers are minded refuse, for the reasons set out at 4.1.1 below.

#### 1 Relevant Planning History

- 1.1 21/2195/CLPD - Single storey rear extension. Permitted.
- 1.2 21/2197/FUL - First floor front extensions, loft conversion including increase in ridge height, hip to Dutch hip roof enlargement, rear dormer window and front rooflights and alterations to fenestration. Withdrawn.
- 1.3 21/2927/FUL - First floor front extension, single storey rear extension, loft conversion including increase in ridge height, hip to Dutch hip roof enlargement, rear dormer windows, front rooflights and alterations to fenestration. Withdrawn.

#### 2 Description of Application Site

- 2.1 The application site is rectangular in shape and is located on the south western side of Highfield Way, Rickmansworth. The application dwelling is a two storey detached property with a hipped roof and front gable projection. The application dwelling has an existing single storey front projection serving a garage and works have commenced to the rear to construct a single storey rear extension pursuant to 21/2195/CLPD.
- 2.2 To the front of the application site is a paved carriage driveway with areas of soft landscaping. To the rear is a patio and a garden laid with lawn.
- 2.3 The neighbours to the north west of the application site are located at right angles to the application site along Beacon Way.
- 2.4 The neighbour to the south east (No.69) is a detached two storey dwelling. The main rear elevation of this neighbour sits in line with the rear of the application dwelling, however, this neighbour does have a single storey rear extension.

#### 3 Description of Proposed Development

- 3.1 This application seeks full planning permission for a first floor front extension, loft conversion including increase in ridge height, rear dormer windows, front rooflights, front porch and alterations to fenestration.
- 3.2 The proposal includes a loft conversion which would be facilitated by an increase in ridge height by 1m, two rooflights and two pitched roof dormers which would be hipped to the rear. Each dormer would have a height of 2.2m, width of 2m and a depth of 1.3m.
- 3.3 The existing front gable feature would be reduced in height by 0.55m.

- 3.4 A front porch is proposed which would have a depth of 1m and would extend across the width of the front gable feature and would have a mono pitched roof with a maximum height of 3m and an eaves height of 2.2m.
- 3.5 The proposed first floor front extension would extend over the existing garage (overall depth of 6.3) and would have a Dutch hip style roof form with a clipped gable to the front. This element would have an overall height of 6.3m and would be set in 0.25m from each side of the ground floor flanks. A side dormer window is proposed in the south western roofslope of the first floor front extension which would have a pitched roof, hipped to the front, with a height of 1.9m, width of 1.6m and a depth of 1.6m. Two flank rooflights are proposed in the other flank roofslope.
- 3.6 An additional first floor flank window is proposed within the north western flank.
- 3.7 This application is a resubmission of two previous schemes 21/2927/FUL and 21/2197/FUL. Whilst both schemes were withdrawn the amendments now made are summarised below:
- Omission of a hip to gable or hip to Dutch hip roof extension
  - Reduction in the overall increase in ridge height
  - Reduction to the width of the first floor front extension and reductions to the overall scale/height of the roof form
  - Introduction of a single storey front porch
  - Reduction in the number of front rooflights
  - Reduction in the scale of the rear dormer owing to the reduced extent of roof extensions

## **4 Consultation**

### **4.1 Statutory Consultation**

#### **4.1.1 Chorleywood Parish Council: [Objection - call in request]**

*Unless officers are minded to refuse, the Committee wish to CALL IN this application on the following grounds:*

- *Too close and overbearing to Neighbouring properties*
- *Size and scale are over dominant to the street scene Policy 2 CW NHP*
- *Fails the 45 degree angle*

*Should the plans change or our Objections have been addressed, please advise the Parish Council so our comments can be amended.*

#### **4.1.2 National Grid: No comments received**

### **4.2 Public/Neighbour Consultation**

4.2.1 Number consulted: 7

4.2.2 No of responses received: 2 objections

4.2.3 Site Notice: Not required                      Press notice: Not required

4.2.4 Summary of Responses:

- Increase in ridge would be incongruous and excessive
- Overdevelopment
- Fails to meet criteria of other approvals in Highfield Way
- Loss of privacy
- Loss of light
- Overbearing
- Oversized and unattractive additions
- Loss of symmetry
- New dormer window to first floor front extensions adds bulk
- Multiple dormers dominate the 'look'
- Out of character
- Contrary to policy in relation to proximity to No.69
- Fumes from neighbour's chimney could go into window of the application site
- No site notice
- Relation permission: 21/2195/CLPD- confirmation sought in relation to the height, intrusion of 45 degree splay line, extensions shouldn't cover 50% of the plot – has this been taken into account?, concerns regarding subsidence.

4.2.5 Officer comment: A site notice was not required for this application and the required consultation with neighbours and consultees has been carried out. The single storey rear extension consented via 21/2195/CLPD does not form part of the considerations of this application. All other material planning considerations are taken into account in the analysis section below.

## **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**

In 2021 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 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 Development 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.

Chorleywood Neighbourhood Development Plan (Referendum Version, August 2020). Policy 2 is relevant

## 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 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'. Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) advises that development should not appear excessively prominent within the streetscene. Appendix 2 sets out that '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 dwelling and streetscene'. Development should not have a significant impact on the visual amenities of an area and that extensions should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials

- 7.1.2 The Chorleywood Neighbourhood Plan is relevant. Policy 2 of the Chorleywood Neighbourhood Plan states:

'All development should seek to make a positive contribution to the 'street scene' by way of frontage, building line, scale and design.'

- 7.1.3 Appendix 2 of the Development Management Policies document outlines that two storey extensions may be positioned on the flank boundary, provided that the first floor element is set in 1.2m. This distance must be increased in low density areas or where the extension would have an adverse effect on an adjoining property. First floor front extensions will be assessed on their own individual merits but should not appear unduly prominent in the streetscene.
- 7.1.4 The proposed first floor front extension would result in the introduction of additional built form to the front of the site. It is also acknowledged that the existing garage projects relatively far forward of the main front elevation of the dwelling and has a hipped roof which exceeds the cill height of the first floor windows. At its highest point the proposed first floor front extension would be 2m higher than the existing ridge of the garage. The first floor front extension would be set in 1.2m from the boundary and thus would retain adequate spacing to this side of the site. It is acknowledged that the proposed first floor front extension together with the incorporation of a side dormer window would be readily visible from the streetscene and would be of a greater overall scale than the existing garage. However the visibility of development does not in itself automatically surmount to harm. The proposed dormer window would appear subordinate to the proposed flank roofslope and would not appear as an incongruous addition to the host dwelling or streetscene given the evidence of other front dormers within the locality. The proposed first floor front extension would step in from the flanks of the garage and would have a Dutch hip roof which reduces some of the overall massing of the new roof form. Additionally whilst when viewed on a 2D elevational drawing the proposed flank dormer appears to visually compete with the existing gable when viewed in 3D and from the streetscene the interaction between these elements would not appear the same, with discernible separation between the elements reducing the visually perceived bulk. The proposed first floor front extension would also be less wide than the existing garage which currently has a relatively high ridge. Therefore when viewed as a whole in the context of the scale and proportions of the host dwelling it is considered that this element would appear as a subservient addition. Given this in addition to its siting set back from the highway it is not considered that the proposed front extension would appear as an unduly prominent or incongruous form of development which would result in detrimental harm to the character of Highfield Way where there is variation in the scale and design of dwellings.
- 7.1.5 Appendix 2 of the DMP LDD outlines that increase in ridge heights will be assessed on their own individual merits however will be resisted in streetscene with uniformity in ridges.
- 7.1.6 The land levels along Highfield Way slope upwards from Meadow Way towards the application site and beyond however in this part of the streetscene there is no uniformity in the step or form of ridges. Notwithstanding this the proposal would result in an increase in ridge height of 1m. The ridge of the existing dwelling slightly exceeds that of the neighbour at No.69. It is acknowledged that when comparing the existing and proposed front elevations there appears to be a significant increase in the overall height of the central part of the roof form. However the existing front gable feature is proposed to be lowered in height. Therefore visually this appears to draw the eye and suggests a greater overall increase. However the ridge is actually only increasing by 1m. Additionally the 2D elevational drawings don't take into account that the existing dwelling has a relatively steep front roofslope and that the increased section of the ridge would be in the very central part of the roof and would not be perceived in the same way as depicted on the elevational drawings. The overall increased height of the roof would be to a degree, mitigated by the central siting of the ridge. As such when considered in the context of the existing form of the roofslope and wider streetscene of Highfield Way it is not considered that the proposed increase in ridge height would result in unacceptable harm to the character of the host dwelling or wider streetscene.
- 7.1.7 Appendix 2 of the DMP LDD outlines that dormer windows should appear subordinate to the host roof and should be set in from all planes of the roofslope.

- 7.1.8 The proposed rear dormers would be set back from the eaves, set in from the sides of the roofslope and would be set down from the ridge. As such they would appear subordinate to the host roofslope. Their overall bulk would be reduced by the pitched roof nature of the dormers which would also be hipped at the rear. Whilst the majority of rear dormers in Highfield Way are at first floor level there are examples of rear dormers at second floor level within the wider locality. As such it is not considered that the proposed rear dormers would result in unacceptable harm to the character of the property or area.
- 7.1.9 The proposed front rooflights would appear proportionate in scale and number to the host roof and are not considered to appear incongruous within a streetscene where other rooflights are apparent.
- 7.1.10 The proposed front porch would have a limited depth of 1m and would only extend across the width of the existing front gable feature. Given this in addition to its single storey nature and mono pitched roof form and set back from the road, it would appear as a subordinate addition to the host dwelling and would not appear unduly prominent or incongruous within the streetscene.
- 7.1.11 In summary it is not considered that the proposed development would result in any significant adverse impact on the character or appearance of the host dwelling, streetscene or area and the development would be acceptable in this regard in accordance with policies CP1 and CP12 of the Core Strategy, Policy DM1 and Appendix 2 of the DMP LDD and Policy 2 of the Chorleywood Neighbourhood Plan.

## 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 The proposed first floor front extension would extend in line with the existing garage projection. The proposed first floor front extension would be set in over 8m from the boundary with No.69 and as such would not result in overshadowing or loss of light to this neighbour. The neighbouring properties in Beacon Way are orientated with their rear elevations backing onto the flank of the application site, with a separation distance of approximately 23m. As such it is not considered that the first floor front extension would result in harm to neighbours in Beacon Way through overshadowing or loss of light. The 45 degree rule is generally only applied to two storey rear or first floor rear extensions however it can provide a useful tool when assessing the proposed first floor front extension. To this effect it is noted that the proposed first floor front extension would not intrude a 45 degree splay line when taken from the point on the boundary level with the front elevation No.69. The additional first floor front windows would look out on to the application site driveway and are not considered to result in unacceptable overlooking when compared with the existing first floor fenestration. The proposed side dormer window would face towards the boundary with No.69. However would be sited over 8m from the boundary and would look onto the frontage of this neighbour rather than directly towards their front windows. As such only oblique views would be had towards the habitable front windows and given the separation distances would not result in direct overlooking so as to result in detrimental harm to the amenity of this neighbour.
- 7.2.3 It is acknowledged that the proposed roof alterations would increase the overall bulk of the roof. However the roof extensions would be contained within the existing extent of the roof form with the increased ridge sited centrally within the roof and would not result in any additional depth or width of the main dwelling. Therefore the 45 degree splay line guidance would not be required to be applied. In any case, the proposed roof extensions are not

considered to result in detrimental harm to neighbouring amenity by virtue of an unacceptable overbearing impact or loss of light. The proposed rear dormers would introduce second floor glazing however these would look towards the rear of the site and would only have oblique views towards the neighbours. In any event it is not considered additional overlooking would result when compared with the existing first floor windows.

- 7.2.4 The proposed first floor flank window within the north western elevation would be conditioned to be obscure glazed and top level opening to avoid unacceptable overlooking owing to the orientation this window facing the rear elevation and private amenity space of the neighbour on Beacon Way.
- 7.2.5 The proposed front porch would be set in from the boundary with No.69 by over 4.5m. Given this in addition to its single storey nature, limited depth of 1m and mono pitched roof form it is not considered that this element would result in unacceptable harm to No.69 by virtue of an overbearing impact or loss of light.
- 7.2.6 In summary, it is not considered that the proposed development would result any adverse impact on the residential amenity of any neighbouring occupier and the development would therefore be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies document.

### 7.3 Amenity Space

- 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. Specific standards for amenity space are set out in Appendix 2 of the Development Management Policies LDD.
- 7.3.2 Appendix 2 requires 147sqm to be provided for a six bedroom dwelling. The application site would retain approx. 240sqm of amenity space and as such would comply with Appendix 2 in this respect

### 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 A biodiversity checklist was submitted with the application this 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.

### 7.5 Trees and Landscaping

- 7.5.1 Policy DM6 of the Development Management Policies LDD 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.

7.5.2 The application site is not located within a Conservation Area nor are there any on-site TPOs. As such it is not considered that the proposal would result in unacceptable harm in this respect

## 7.6 Highways, Access and Parking

7.6.1 Policy DM13 of the Development Management Policies LDD requires development to make provision for parking in accordance with the parking standards set out at Appendix 5 of the Development Management Policies LDD.

7.6.2 The proposal would result in the creation of additional bedrooms to create a six bedroom dwelling. However this would not change the requirement for parking against the standards of Appendix 5 which outlines that dwellings with 4 or more bedrooms should provide 3 on-site parking spaces. Three on-site parking spaces would be retained to the front in addition to the retention of the existing garage. As such the proposal would comply with Appendix 5 in this respect.

## 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: 3981/1B, 3981/2S and 3981/3M

Reason: For the avoidance of doubt, in the proper interests of planning and in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and Policy 2 of the Chorleywood Neighbourhood Plan (2020).

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 The additional first floor window within the north western side shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

Reason: To safeguard the amenities of the occupiers of neighbouring residential 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).

C5 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 extensions 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:**

- 11 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](mailto: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](http://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 stipulates that construction activity (where work is audible at the site boundary) 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 development maintains/improves the economic, social and environmental conditions of the District.

- 14 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](http://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).