

PLANNING COMMITTEE – 17 NOVEMBER 2022

PART I - DELEGATED

11. **22/1887/FUL – Construction of part-single storey, part-two storey side and rear extensions, single storey front extension; front porch and rear patio extension; loft conversion including rear rooflights; alterations to roof including rear gable extensions; erection of rear Juliet balconies, bay window, solar panels and flue; internal alterations and alterations to fenestration at 57 BLACKETTS WOOD DRIVE, CHORLEYWOOD, HERTFORDSHIRE, WD3 5PY**

Parish: Chorleywood Parish Council

Ward: Chorleywood South and Maple Cross.

Expiry of Statutory Period: 09.12.2022

Case Officer: Freya Clewley

Recommendation: That Planning Permission be granted.

Reason for consideration by the Committee: Called in to Planning Committee by three members of the Planning Committee due to concerns relating to the potential intrusion of the 45 degree splay line, and by Chorleywood Parish Council for the reasons set out at paragraph 4.1.1 below.

1 Relevant Planning History

- 1.1 AM/283/48 – House
- 1.2 AM/1510/58 – 2 Houses
- 1.3 AM/278/68 – Porch
- 1.4 CH/548/77 – Extension to lounge

2 Description of Application Site

- 2.1 The application site is rectangular in shape and contains a detached dwelling located on the southern side of Blacketts Wood Drive, Chorleywood. Blacketts Wood Drive is a residential road characterised by detached dwellings of varying architectural styles and designs, many of which have been extended or altered.
- 2.2 The host dwelling is a two storey detached dwelling, with a two storey front gable feature. The host dwelling is finished in mixed red brickwork with a dark tiled hipped roof form and single storey side projection incorporating a garage to the western flank. There is hardstanding to the frontage with space for three vehicles.
- 2.3 The neighbour to the west, number 57a Blacketts Wood Drive, is a two storey detached dwelling with a single storey garage constructed up to the shared boundary with the application site. This neighbour has two, two storey rear gable projections and this neighbour shares an access with the application site. The neighbour to the east, number 55 Blacketts Wood Drive, is a two storey detached dwelling set in from the shared boundary with the application site. This neighbour is located on the same building line as the host dwelling, at a slightly lower land level. This neighbour has an existing single storey rear extension.
- 2.4 There is a large protected Beech tree located to the rear of the application site, covered by an area wide TPO (TPO290).

3 Description of Proposed Development

- 3.1 The applicant is seeking full planning permission for the construction of part single, part two storey side and rear extensions, single storey front extension, front porch, rear patio extension, loft conversion including rear rooflights, alterations to the roof including rear gable extensions, erection of rear Juliet balconies, bay window, solar panels and flue, internal alterations and alterations to fenestration. The proposal would result in a five bedroom dwelling (one additional bedroom), although it is noted that the proposed loft room could be used as an additional bedroom.
- 3.2 The existing hipped roof of the host dwelling would be replaced with a crown roof form. The crown roof would have an area of 19.5sqm. The ridge height of the host dwelling would remain the same at 8.3m, however the maximum height of the dwelling would increase to 8.6m to account for the proposed solar panels to be mounted on the crown roof section.
- 3.3 At ground floor level, the proposed single storey front extension would have a depth of 1.9m and a width of 3.6m, constructed in line with the existing eastern flank elevation. The extension would extend in line with the existing two storey front gable feature, with a pitched roof form. The extension would have a maximum height of 3.5m. The proposal would include the construction of a front porch. The porch would have a depth of 1m and a width of 2.8m. The porch would have a pitched roof form with a maximum height of 3.5m. Fenestration is proposed within the front elevation of the single storey front extension and porch.
- 3.4 The proposed two storey side extension would have a width of 2.7m and a depth of 14.7m, including a 2.4m single storey rear extension. The two storey extension would be set back 0.6m from the main two storey front elevation of the host dwelling, and it would be set in 1.2m from the western flank boundary. The side extension would have a hipped roof form, adjoining the ridge line of the host dwelling, with a maximum height of 8.3m. Fenestration is proposed at ground and first floor levels within the front, flank and rear elevations of the two storey side extension.
- 3.5 The part single, part two storey rear extension would have a depth of 1.3m at ground floor level from the rear elevation of the existing single storey rear extension, constructed in line with the eastern flank of the host dwelling, with a width of 8.3m. The rear extension would have a maximum depth of 8.5m from the main two storey rear elevation of the host dwelling, extending 5.7m beyond the rear elevation of the existing garage. The rear extension would adjoin the proposed side extension. At first floor level, the proposed rear extension would have a depth of 3m from the eastern aspect of the rear elevation, with a width of 4.1m. The depth of the rear extension would increase a further 2.8m to the west, with a width of 8.7m. The proposed rear extension would be constructed in line with the proposed western flank elevation. The proposed rear extension to the eastern aspect of the rear elevation would be incorporated under the proposed crown roof form of the host dwelling, whilst the deeper element to the west would create two gable features to the rear, with a maximum height of 7.7m. Fenestration is proposed at ground and first floor levels of the rear elevation of the extension, including Juliet balconies at first floor level.
- 3.6 The proposed development would include the conversion of the roofspace, served by two rooflights to the rear roofslope. A new flue is proposed extending 0.4m above the main ridge line of the host dwelling. Solar panels and rooflights are proposed to the crown roof section of the main roof of the host dwelling. The proposal includes alterations to fenestration.
- 3.7 The proposal would include an extension to the raised patio area to the rear. The patio would have a depth of 3.7m to the east, and a depth of 0.9m to the west, reflecting the stepped rear elevation of the proposed extensions. The patio would have a height of 0.4m. A step would lead down from the patio to the garden level.
- 3.8 Amended plans have been received during the course of the application to indicate that the first floor side windows would be obscurely glazed, and remove the originally proposed pitched roof over the side access.

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 Officer are minded to refuse planning permission.

Should the plans or supporting information be amended by the Applicant, please advise the Parish Council so the comments can be updated to reflect the amended.

' The size and scale of the proposed extension is wholly inappropriate on the plot

' Concern with the Juliet balcony overlooking neighbouring properties.

' Concerns relating to the size of the crown roof which is only indicative that this is a significant overdevelopment of the plot

' Concern with the drawing which are not to scale, particularly the streetscene elevations

' Overall, this proposal is an overdevelopment of the size of the plot.

Officer Comment: 'All material planning considerations are outlined within the relevant analysis section below. As part of any planning application including an increase in ridge height, the applicant is requested to submit an indicative streetscene plan, and as such, there is no requirement for this plan to be to scale.'

4.1.2 National Grid: [No response received]

4.1.3 Landscape Officer: [Verbally advised - No Objection]

The proposed extensions are located a significant distance from the large protected Beech tree on site. Therefore, subject to a condition to require the submission and approval of a Tree Protection Plan prior to the commencement of works on site, the proposal is considered to be acceptable in this regard.

4.2 Public/Neighbour Consultation

4.2.1 Site Notice: Not applicable

Press notice: Not applicable

4.2.2 Number consulted: 6

4.2.3 No of responses received: 1 [1 neutral, 0 objections]

4.2.4 Summary of response:

- The revised plans published in 4 November address specific concerns raised in the discussions held with the applicant including obscure glazing on side facing windows, removing the roof over the side access resulting in a clear split between the houses and confirming the finish of the newly exposed garage wall.
- The garage of 57A will need to be finished properly to ensure it is watertight and meets building regulations with the newly exposed wall and does not cause any future problems.

Officer comment: 'All material planning considerations are outlined within the relevant analysis section below.'

5 Reason for Delay

5.1 None.

6 Relevant Planning Policy, Guidance and Legislation

Legislation:

- 6.1 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise as set out within S38(6) Planning and Compulsory Purchase Act 2004 and S70 of the Town and Country Planning Act 1990).
- 6.2 The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.
- 6.3 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.

Policy:

- 6.4 National Planning Policy Framework and National Planning Practice Guidance

In July 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 retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits unless there is a clear reason for refusing the development (harm to a protected area).

- 6.5 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, CP8, 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.

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

6.6 Other

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

7 **Planning Analysis**

7.1 Impact on Character and Street Scene

- 7.1.1 Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that 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'.
- 7.1.2 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 document set out that development should not have a significant impact on the visual amenities of an area. To avoid a terracing effect and maintain an appropriate spacing between properties in character with the locality, development at first floor level should be set in from flank boundaries by a minimum of 1.2 metres. This distance may be increased in low density areas or where the development would have an adverse impact on an adjoining property. In relation to roofs, the Design Criteria set out that crown roofs can exacerbate the depth of properties and often result in an inappropriate bulk and massing and as such they are generally discouraged and more traditional pitched roofs are generally favoured.
- 7.1.3 Appendix 2 of the Development Management Policies document also states that front extensions should not result in loss of light to windows of neighbouring properties nor be excessively prominent in the streetscene and that increases in ridge height will be assessed on their own merits at the time of a planning application and that where roof forms are of a uniform height, style or appearance, it is unlikely that an increase in height will be supported. Whilst this application does not seek a front extension but instead a new build, the principles above remain relevant.
- 7.1.4 Policy 2 of the Chorleywood Neighbourhood Plan is relevant to this application and states:
'All development should seek to make a positive contribution to the 'street scene' by way of frontage, building line, scale and design.'
- 7.1.5 The proposed development would not result in an increase in overall ridge height of the host dwelling, however the proposal would result in the maximum height of the host dwelling being increased by 0.3m, from 8.3m to 8.6m, to allow for the installation of solar panels to be mounted on the flat roof section of the crown roof. The proposal would include the installation of a flue to the rear of the dwelling, extending from the rear gable feature, approximately 0.4m above the main ridge line of the host dwelling. As the flue would extend from the rear, the proposed flue would not appear unduly prominent from the streetscene of Blacketts Wood Drive. Therefore, the main ridge height of the dwelling would not be altered or increased as part of the proposed development and whilst the solar panels would be visible from the streetscene of Blacketts Wood Drive, given the minimal height and angle of solar panels to be mounted on the flat roof section, it is not considered that the proposed

solar panels or increase in height would appear unduly prominent or result in any harm in this regard.

- 7.1.6 The proposed development would result in a crown roof form which Appendix 2 of the Development Management Policies document generally discourages. In this case, the crown roof would be relatively small with a limited depth, positioned adjacent to both neighbouring properties resulting in limited views from public vantage points from Blacketts Wood Drive. However it is noted that there are other examples of similar roof forms within the surrounding area, such that it is not considered that its inclusion would result in demonstrable harm to the character or appearance of the host dwelling or street scene to justify the refusal of planning permission.
- 7.1.7 The proposed two storey side extension would be set in 1.2m from the western flank boundary, and as such, the proposed spacing would accord with Appendix 2 of the Development Management Policies document in this regard. Whilst it is noted that the proposed side extension would increase the width of the ridge line of the host dwelling, given that the side extension would be relatively limited in width, the spacing maintained to the western flank boundary and the hipped roof form of the proposed two storey side extension, it is not considered that this element would result in harm to the character or appearance of the host dwelling, streetscene of wider area.
- 7.1.8 The proposal would include the construction of a single storey front extension and front porch. The proposed front extensions would be visible from the streetscene of Blacketts Wood Drive, however, given the existing variation within the streetscene, the depth, width and design of the extensions and that the roof form of the extensions would reflect the character and appearance of the host dwelling, it is not considered that the front extensions would appear unduly prominent within the streetscene of Blacketts Wood Drive, or result in harm to the character or appearance of the host dwelling, streetscene or wider area.
- 7.1.9 The depth of the proposed rear extension would exceed the 4m guidance depth set out at Appendix 2 of the Development Management Policies document. Whilst this is acknowledged, it is noted that the rear extensions would be constructed in line with the existing eastern flank and proposed western flank of the host dwelling, and as such, limited views of the extensions would be available from the streetscene of Blacketts Wood Drive. Moreover, the eastern aspect of the two storey rear extension would be incorporated under the main roof of the host dwelling, and the deeper aspect to the west would have a pitched roof form significantly set down from the main ridge. In addition, it is noted that there are other dwellings within the vicinity with extensions of a similar size and scale. Therefore, it is not considered that the part single, part two storey rear extensions would result in harm to the character or appearance of the host dwelling, streetscene or wider area.
- 7.1.10 The proposed loft conversion would be served by rear rooflights, and as such, would not be visible from the streetscene of Blacketts Wood Drive. Given the nature of the proposed external changes, it is not considered that the proposed loft conversion would result in any harm in this regard.
- 7.1.11 The proposed raised patio would be to the rear of the host dwelling and as such, would be obscured from the streetscene of Blacketts Wood Drive by the existing built form. Given the siting, depth and height of the raised patio, it is not considered that this element would result in any harm to the character or appearance of the host dwelling, streetscene or wider area.
- 7.1.12 Whilst accepting that the proposed development would significantly increase the bulk, massing and scale of the host dwelling, given the variation in the street scene of Blacketts Wood Drive it is not considered that the resultant dwelling would be out of keeping with other dwellings within the vicinity with regards to its size, spacing, design and overall scale nor would it appear unduly prominent in the street scene of Blacketts Wood Drive. The development would therefore be acceptable in accordance with Policies CP1 and CP12 of

the Core Strategy, Policy DM1 and Appendix 2 of the Development Management Policies document and the Chorleywood Neighbourhood Plan (referendum version, August 2020).

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 Whilst this application is for a replacement dwelling, the guidance to apply to extensions as set out within Appendix 2 of the Development Management Policies LDD is relevant. Appendix 2 outlines that two storey rear extensions should not generally intrude a 45 degree splay line drawn across the rear from the point on the 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 positions of windows and development on neighbouring properties.
- 7.2.3 The proposed alterations to the roof of the host dwelling including the installation of a crown roof form and the increase in height of the dwelling by 0.3m to allow for the installation of solar panels would be small in scale, and given the main roof of the host dwelling would still be hipped away from the flank boundaries, and that the overall ridge line height would not be altered, it is not considered that this element would result in any harm to neighbouring amenity.
- 7.2.4 The proposed single storey front extension would be constructed to the eastern aspect of the front elevation, infilling the existing recessed aspect between the main two storey front elevation and the existing porch. This element would have a depth of 1.9m with a pitched roof form. Given the siting of this element to the east, it is not considered that the front extension would result in any harm to the neighbour to the west. The extension would be set in 1.2m from the eastern flank boundary, and given the depth, single storey nature of the extension, height and design of the extension, it is not considered that this element would result in any harm to the neighbour to the east. The proposed porch would be sited close to the centre of the front elevation, and given the scale of this element and the spacing maintained between the porch and the flank boundaries, it is not considered that this element would result in any harm to neighbouring properties.
- 7.2.5 The proposed two storey side extension would be sited to the western flank, and as such, would not result in any harm to the neighbour to the east. The two storey side extension would extend the built form closer to the neighbour to the west at first floor and roof levels, and it would be set in 1.2m from the western flank boundary. Whilst it is noted that the two storey side extension would increase the built form, bulk and massing closer to this neighbour, it is acknowledged that this neighbour has an existing single storey garage constructed up to the shared boundary with the application site, and the neighbouring dwelling is significantly set in from the shared boundary with the application site. Moreover, this neighbour has a deep flank elevation with a gable end to the rear, and as such, given the existing site circumstances including the existing form of the neighbour to the west, that the extension would be set in 1.2m from the western flank boundary and that the habitable accommodation of the neighbour to the west is significantly set in from the shared boundary with the application site, it is not considered that the two storey side extension would appear overbearing or result in loss of light to the neighbour to the west.
- 7.2.6 At first floor level, the two storey rear extension would have a depth of 3m from the rear of the eastern flank, and a depth of 5.8m from the main two storey rear elevation of the host dwelling. The extension to the eastern aspect would be incorporated under the main roof of the host dwelling, with two gable features to the west. The two storey rear extension would

not intrude a 45 degree splay line when taken from a point on the shared boundary level with the rear elevation of the single storey rear extension to the neighbour to the east. However, the extension would intrude when taken from a point on the shared boundary level with the main two storey rear elevation of this neighbour. Whilst this is noted, approximately 2.5m spacing would be maintained between this neighbour and the two storey rear extension, and given the hipped roof of the extension, it is not considered that the proposed two storey rear extension would appear overbearing or result in loss of light to the neighbour to the east.

- 7.2.7 The proposed two storey rear extension would not intrude a 45 degree splay line when taken from a point on the shared boundary level with the rear elevation of the neighbour to the west. In addition, the two storey rear extension would have a similar depth to the existing two storey rear projection of this neighbour, and given that the neighbour to the west is significantly set in from the boundary and that the two storey rear extension would be of a similar depth to this neighbour, it is not considered that the two storey rear extension would result in any harm to the neighbour to the west.
- 7.2.8 The proposed single storey rear extension to the east would have a depth of 1.3m beyond the existing single storey rear projection of the neighbour to the east. Therefore, given the depth, height and roof form of the extension and that the extension would be set in 1.3m from the eastern boundary, it is not considered that this element would result in any harm to neighbouring amenity. The single storey rear extension to the west would have a depth of 2.4m, extending in line with the existing rear elevation of the neighbour to the west. Therefore, given the depth, height and roof form of the extension and that the extension would extend in line with the existing rear elevation of the neighbour to the west, it is not considered that this element would result in any harm in this regard.
- 7.2.9 The proposed loft conversion would result in the installation of two rooflights within the rear elevation. Therefore, given the scale of the proposed alterations to facilitate the loft conversion, it is not considered that this element would appear overbearing or result in loss of light to neighbouring amenity.
- 7.2.10 In terms of overlooking, fenestration is proposed within the front elevation of the host dwelling at ground and first floor levels. This fenestration would have an outlook of the application site frontage, and would not result in any overlooking. A door is proposed within the western flank and a window is proposed within the eastern flank at ground floor level. Given the existing boundary treatment, the ground floor siting and that this fenestration would be set in from the flank boundaries, it is not considered that the ground floor flank fenestration would result in any overlooking. A window is proposed within the flank elevations at first floor level. These windows would serve non-habitable rooms, and given the siting of these windows, it is considered reasonable to attach a condition to any granted consent to require these windows to be obscurely glazed and top level opening to prevent unacceptable overlooking from occurring. To the rear, bifolding doors and a bay window are proposed at ground floor level. This fenestration would have an outlook of the amenity space serving the application site, and would not result in any overlooking. At first floor level, two Juliet balconies and a window are proposed within the rear elevation. It is noted that the Parish Council raised concerns regarding overlooking from the Juliet balconies, however, whilst some views of neighbouring gardens may be available from the proposed first floor fenestration, it is not considered that these views would be significantly different to those already available, and as such, it is not considered that the first floor fenestration to the rear would result in unacceptable overlooking. Two rooflights are proposed within the rear roofslope to serve the loft conversion. A condition would be attached to any granted consent to require the rooflights to be positioned a minimum of 1.7m above internal floor level, to prevent unacceptable overlooking from occurring.
- 7.2.11 In summary, it is not considered that the proposed development would result in demonstrable harm to neighbouring amenity and as such, the proposed development would

accord 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 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 amenity and garden space. Section 3 (Amenity Space) of Appendix 2 of the Development Management Policies document provide indicative levels of amenity/garden space provision and set out that a five bedroom dwelling should provide 126sqm amenity space and a six bedroom dwelling should provide 147sqm of amenity space.

7.3.2 The application site would retain a rear garden amenity space of over 470sqm which would be adequate amenity space for current and future occupiers, regardless of whether the host dwelling was used as a five or six bedroom 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.

7.4.3 A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected as a result of the application. The site is not in or located adjacent to a designated wildlife site. As such, it is not considered that the proposal would result in harm in this respect.

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 There are protected trees to the rear of the application site, and within surrounding sites. The application is accompanied by a Tree Protection Plan (P-103 B) which indicates protective fencing to be installed across the application site, with a construction exclusion zone noted to the rear. Given the distance between the proposed works and the protected Beech tree to the rear, and the protective measures proposed, subject to a condition to require the proposed works to be carried out in accordance with these details, it is not considered that the proposed development would result in any harm to protected trees and the proposal is considered to be acceptable in this regard.

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 proposed development would result in a five bedroom dwelling. Appendix 5 of the DMP LDD sets out that a dwelling with 4 or more bedrooms should provide 3 onsite parking spaces. The proposal would include front extensions, extending forward of the existing front elevation, and the loss of the existing garage. Notwithstanding this, three parking spaces would be retained to the application site frontage via the existing driveway and as such, the proposed development 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: E-101, P-101 Rev A, P-103 Rev A, E-100 A and P-103 B.

Reason: For the avoidance of doubt, in the proper interests of planning in accordance with CP1, CP8, 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), Policy 2 of the Chorleywood Neighbourhood Development Plan (Referendum Version, August 2020) and the NPPF (2021).

- C3 The development hereby approved shall be implemented only in accordance with the approved Tree Protection Plan prepared by Bulmer and Counter Architects.

No operations shall commence on site in connection with the development hereby approved (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) until the tree protection works required by Tree Protection Plan TH/A3/3627/TPP are in place on site.

The protection measures shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

Reason: To ensure that no development takes place until appropriate measures are taken to prevent damage being caused to trees during construction of the development hereby permitted, in the interests of visual amenity and in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C4 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).

- C5 Before the first occupation of the replacement dwelling hereby permitted the windows at first floor level within the flank elevations 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 windows 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).

- C6 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 flanks elevation or roof slopes of the extension 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).

- C7 The proposed single storey flat roofs hereby permitted shall be used for repair and maintenance purposes only and not as an external platform or balcony at any time.

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).

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. If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

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 development maintains/improves the economic, social and environmental conditions of the District.