**8. 16/1403/FUL – Single storey side extension, hip to gable extension with rear dormer windows, alterations and additions to flank and rear glazing, replacement of existing side fence with part brick/part fence boundary, new hardstanding driveway with gated access from North Road, at 91 LOWER ROAD CHORLEYWOOD, WD3 5LA for Mrs Vivien Lantree.**

(DCES)

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| Parish: Chorleywood Parish Council  | Ward: Chorleywood South and Maple Cross |
| Expiry Statutory Period: 23 September 2016 | Officer: Jedd Goodwin Roberts |
|  |  |
| Recommendation: That Planning Permission be Granted |
|  |
| This application is brought before the Committee at the request of Chorleywood Parish Council. |

1. **Relevant Planning History**
	1. 13/0612/FUL - Single storey side and rear extensions, new chimney to side elevation, replacement of existing front boundary wall with white picket fence, replacement of existing UPVC windows with timber framed units in front and side elevations and enlarged hardstanding with new access at rear of site - Permitted 21.06.2013, partially implemented.
	2. 14/1446/DIS - Discharge of Condition 3 (Materials) pursuant to planning application 13/0612/FUL – Determined 05.09.2014.
2. **Site Description**
	1. The application site contains a two storey end of terrace property on a corner plot at the junction of Lower Road and North Road within the Chorleywood Common Conservation Area. The site supports a half-timbered, two storey Edwardian dwelling which is similar in appearance to other dwellings within the terrace to the south, although some variations exist within the street scene with regard to individual features and there have been extensions and alterations to dwellings.
	2. The dwelling is gabled to the front with a two storey flat roofed element to the rear, reflecting the form and style of the other dwellings within the terrace. This flat roofed element is built with floor levels lower than those of the main part of the dwelling to reflect the gradient of the land, with internal split levels. The small front garden of the property is bounded by a white picket fence with a 1.8m timber fence standing along the flank and rear boundaries. The property does not benefit from off street parking.
	3. To the rear of the two storey element is a small monopitched extension with a rear facing window. Directly abutting this, between the small existing extension and the boundary shared with 93 Lower Road is a perspex-roofed, lean-to structure. Structures of differing appearance have been added to the rear elevations of a number of properties within the terrace.
	4. A mature Ash tree stands in the rear garden on the shared boundary with 93 Lower Road. To the rear of the property is a private access track separating the rear boundaries of the terrace from the flank boundary of the end-of-terrace dwelling Bracondale, North Road.
3. **Description of Proposed Development**
	1. This application seeks full planning permission for a single storey side extension, hip to gable extension with rear dormer windows, alterations and additions to flank and rear glazing, replacement of existing side fence with part brick/part fence boundary and a new hardstanding driveway with gated access from North Road.
	2. The single storey side extension would be constructed along the north flank of the property and would measure 6.8m in depth. The width of the extension varies with a maximum width of 2.3m reducing to 1.4m to the rear of the extension, and the flank elevation would be stepped and splayed. It would have a part pitched roof form with rooflights to the flank and rear and a maximum height of 3.5m. The proposed roof would be part tiled and part glazed.
	3. To the rear of the extension and the existing rear projection would be a set of bi-fold patio doors. The north flank would include a door and full height glazing.
	4. The proposal also includes a loft conversion involving a hip to gable enlargement, and the construction of two dormers and a roof light in the rear elevation.
	5. The proposed hip to gable extension would measure 8.4m in depth and would increase the width of the ridge by 2.8m. One window would be inserted in the north flank elevation. To the rear roofslope, there would be two dormer windows and a rooflight. Each dormer would be identical in scale and design. They would measure 1.3m in width, 2.5m in depth and 2.4m in height with a gabled roof form. The dormers would be set back 0.7m from the eaves and would be set in 0.8m from 93 Lower Road and 1m from the north flank. The rooflight would be set down 0.6m from the ridge.
	6. The existing fence to the north boundary with North Road would be replaced by a part brick wall, part fence which would measure 2m in height.
	7. The proposed hardstanding driveway and gated access from North Road would be to the rear of the application site garden. The proposed area of hardstanding would measure 3.5m in width and 5m in depth. The Design and Access Statement proposes that the driveway would consist of gravel hardstanding with a paved border. There would be a sliding wooden gate to access the driveway which would match the proposed fence.
	8. During the course of the application, amended plans have been provided to retain an Ash tree and to correct fenestration detail.
4. **Consultation**
	1. **Statutory Consultation**
	2. National Grid: no comments received.

4.3 Chorleywood Parish Council [no objection]:

*“We wished to CALL IN the application as the applicant is an ex Parish Councillor and known to and or related to every member of the Committee. We had no Objection to the application”*

4.4 Conservation Officer [objection]:

*“This proposal is situated in the Chorleywood Common Conservation Area (Character zone C) and affects a fine unaltered externally Arts and Crafts house dating to the early Twentieth Century.*

*Policy*

*The National Planning Policy Framework (NPPF) sets out objectives for protecting and enhancing the historic built environment. Paragraph 132 of the NPPF states that when considering the impact of a proposed development on a designated heritage asset, such as a Conservation Area, great weight should be given to the asset’s conservation.*

*Policy DM3 of the Development Management Policies LDD (2013) sets out the criteria against which proposals within Conservation Areas will be permitted.*

*Within Conservation Areas development will only be permitted if the proposal:*

*i) Is of a design and scale that preserves or enhances the character or appearance of the area*

*ii) Uses building materials, finishes, including those for features such as walls, railings, gates and hard surfacing, that are appropriate to the local context*

*iii) Retains historically significant boundaries, important open spaces and other elements of the area’s established pattern of development, character and historic value, including gardens, roadside banks and verges*

*iv) Retains and restores, where relevant, traditional features such as shop fronts, walls, railings, paved surfaces and street furniture, and improves the condition of structures worthy of retention*

*v) Does not harm important views into, out of or within the Conservation Area*

*vi) Protects trees, hedgerows and other significant landscape features and incorporates landscaping appropriate to the character and appearance of the Conservation Area*

*vii) Results, where relevant, in the removal of unsympathetic features and the restoration or reinstatement of missing features.*

*Discussion:*

*This building is a prominent Arts and Crafts terrace. It has many attractive Arts and Crafts features with a plethora of fake timber framing, distinctive and decorative downpipes and hoppers, pebble dashed exterior, distinctive flat roofed bay windows, undulating and different sized front gables, prominent chimneys and roof dividers.*

*The Chorleywood Common Conservation Area has a strong Arts and Crafts influence and character and C.A. Voysey, a very well-known Arts and Crafts architect lived nearby.*

*This particular building (91) is at a gateway to the Conservation Area and displays a prominent “gablet” feature (small gable) above a swept hipped roof which would be lost. This is a particular Arts and Crafts feature and the proposed new gable would rise up vertically and in my view would look harsh and bulky and harm the building and the Conservation Area.*

*Conclusion:*

*It is considered that 91 Lower Road makes a valuable contribution to the Conservation Area and is prominent at a gateway into the Conservation Area. It should therefore not be altered as proposed as this would either preserve or enhance the Conservation Area and would be contrary to the policies set out above”.*

* 1. Hertfordshire Highways [objection]:

*“Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons: This application proposes a side extension, alterations and additions to the existing property including a new driveway with gated access served from North Road. This road is classified as a Local Access Road within Hertfordshire’s road hierarchy and is subject to a 30mph speed limit. A residents parking scheme is in place on North Road with on-street parking permitted on both sides of the road which restricts the remaining carriageway to a single vehicle width. The proposed access gates are positioned on the property boundary which coincides with the back edge of the footway of North Road. The Highway Authority requires that the position of new access gates is set back from the highway edge by a minimum distance of 6.0m (or 5.5m if the gates open into the site) to ensure that vehicles waiting to access the site do not obstruct the flow of through traffic on the highway. Appropriate standards are set out in Roads in Hertfordshire which can be downloaded at*

[*http://www.hertfordshire.gov.uk/services/transtreets/hertscounttravsurv/infdev/roadsinherts/*](http://www.hertfordshire.gov.uk/services/transtreets/hertscounttravsurv/infdev/roadsinherts/)*. The Highway Authority considers that the proposals as submitted could result in delays to vehicular manoeuvres that could result in obstruction to the safe and free flow of traffic in the vicinity of the development. It is therefore unable to recommend the granting of permission for this application in its current form”.*

Hertfordshire Highways (further comments): *This application proposes a side extension, alterations and additions to the existing property including a new driveway with gated access served from North Road. This road is classified as a Local Access Road within Hertfordshire’s road hierarchy and is subject to a 30mph speed limit. A residents parking scheme is in place on North Road with on-street parking permitted on both sides of the road which restricts the remaining carriageway to a single vehicle width. The introduction of the proposed access will result in the loss of some of the on-street parking capacity but the Highway Authority considers that this would be offset by the on-site provision. The Highway Authority will not permit the construction of a new vehicular access onto the highway with a gradient in excess of 1 in 10. The gradient of the application site appears to be steeper than 1 in 10 and the details submitted do not promote any measures to alter the slope to comply with the relevant standards.*

*The proposed access gates are positioned on the property boundary which coincides with the back edge of the footway of North Road. The Highway Authority’s standards require that the position of new access gates is set back from the highway edge by a minimum distance of 6.0m (or 5.5m if the gates open into the site) to ensure that vehicles waiting to access the site do not create an obstruction to other users of the highway. The relevant standards are set out in ‘Roads in Hertfordshire’ which can be downloaded at http://www.hertfordshire.gov.uk/services/transtreets/hertscounttravsurv/infdev/roadsinherts/.*

*The Highway Authority acknowledges the cul-de-sac nature of North Road and that traffic on the road will be limited to that generated by residents, visitors and deliveries to the properties on that road. However, it is not prepared to set a precedent by allowing the introduction of a new gated access in this area that does not accord to the current highway standards.*

*The applicant has asked that consideration is given to recently installed access gates at two properties, one close to the application site and one approximately 0.5 miles from it. In the case of the gates closest to the application site, these appear to be of a replacement nature and therefore would not constitute any increased obstruction to users of the highway when compared to the previous arrangement. The site further from the application site has new gates installed which are set back from the highway by a distance of between 3 and 4 metres from the adjacent carriageway. Although this dimension does not comply with the Highway Authority’s current standards it does provide some opportunity for a vehicle to wait to access the property without creating an obstruction to users of the highway. The Highway Authority is not aware of having been consulted on recent applications at either of the properties referred to.*

*The Highway Authority considers that the proposals as submitted could result in delays to vehicular manoeuvres that would result in obstruction to the safe and free flow of traffic in the vicinity of the development. It considers that a decision to grant the application would set a precedent in the area local to the site and encourage further applications of a similar nature. The Highway Authority is therefore unable to recommend the granting of permission for this application in its current form.*

* 1. Landscape Officer: No response received.
	2. **Public Consultation**
	3. Number consulted: 13 Number responses received: 6

4.9 Site Notice: Expired: 26 August 2016 Press Notice: Expired 02 September 2016

4.10 Summary of Responses

* This side of North Road currently has no driveways, no obstructions such as lampposts and is on road parking unlike the opposite side so offers unbroken parking. The opposite side of North Road offer limited parking due to the road being broken up by driveways so drivers to park on the pavement and negotiate lamp posts and street signage within the parking bays and therefore important to preserve the most accessible parking to the south.
* Driveway would lead to loss of on street parking.
* Parking already difficult within the area.
* The change into a driveway would change the appearance of this quiet set back street and allow for no free parking.
* More hard paving could increase the risk of flooding which has affected the lower part of North Road very badly in the last few years. The proposed driveway could result in urban flooding.
* Conservation Area so look and the integrity of the row should be carefully considered.
1. **Reason for Delay**
	1. Committee Cycle.
2. **Relevant Planning Policy, Guidance and Legislation**

6.1 The Three Rivers Local Plan

 The Core Strategy was adopted on the 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 (LDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM3, DM6, DM8, DM9 DM13 and Appendices 2 and 5.

6.2 National Planning Policy Framework (NPPF)

 On 27 March 2012, the framework of government guidance in the form of Planning Policy Statements and Planning Policy Guidance Notes was replaced by the National Planning Policy Framework (NPPF). The application has been considered against the policies of 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 NPPF defines Conservation (for heritage policy): The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate enhances its significance.

6.3 Other

 The Chorleywood Common Conservation Area Appraisal (February 2010) is also relevant.

 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.

1. **Planning Analysis**
	1. **Character and Appearance and impact on the Conservation Area**
	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’ and to ‘conserve and enhance natural and heritage assets’.
	3. Policy DM1 and Appendix 2 of the Development Management Policies document set out that residential development should not lead to a gradual deterioration in the quality of the built environment, should not have a significant impact on the visual amenities of the area and should respect the character of the street scene, particularly with regard to the roof form, positioning and style of windows and doors, and materials.
	4. The Design Criteria at Appendix 2 of the Development Management Policies document advise that the proximity of single storey side extensions to flank boundaries will be individually assessed. In relation to roof alterations, dormer windows should be subordinate to the roofslope; they should be set down from the ridge set in from the sides of the roof and set back from the plane of the rear wall. Hip to gable extensions will not be supported where roof forms in a street are uniform and this type of alteration would erode the group value of the street.
	5. The application site falls within the Chorleywood Common Conservation Area and Policy DM3 of the Development Management Policies document is therefore relevant. This policy states that development should be of a design and scale that preserves or enhances the character or appearance of the area and does not harm important views into, out of or of within the Conservation Area. The National Planning Policy Framework (NPPF) also sets out objectives for protecting and enhancing the historic built environment. Paragraph 132 of the NPPF states that when considering the impact of a proposed development on a designated heritage asset, such as a Conservation Area, great weight should be given to the asset’s conservation.
	6. The proposed single storey side extension would be to the north of the dwelling. While it would be visible from North Road, it would be it would no deeper than the existing dwelling which has been previously extended to the rear and there are extensions and alterations evident to other dwellings in the area, including a similar single storey side extension to 101 Lower Road at the south end of the terrace. The extension would have hipped roof forms which would reduce its bulk and subject to the use of matching materials would not adversely affect the character or appearance of the application dwelling or area or appear unduly prominent in the street scene.
	7. Given the location of the application dwelling on the corner plot on the junction of Lower Road and North Road and given the topography of the land which rises significantly from the north to south and east to west, the proposed hip to gable alteration, dormer windows and rooflight would be visible from Lower Road and North Road.
	8. The Conservation Officer has commented on the application noting that the building is a prominent Arts and Crafts terrace with many attractive Arts and Crafts features including fake timber framing, distinctive and decorative downpipes and hoppers, pebble dashed exterior, distinctive flat roofed bay windows, undulating and different sized front gables, prominent chimneys and roof dividers. The dwelling is at a gateway to the Conservation Area and the Conservation Officer advises that it makes a valuable contribution to the Conservation Area and that the proposal would result in loss of the prominent gablet feature above a swept hipped roof and that the proposed gable would look harsh and bulky which would harm the Conservation Area.
	9. However, while the comments of the Conservation Officer are noted and there would be views of the proposed development, it is noted that permission was granted and has been implemented under application 13/2336/FUL for a matching hip to gable extension with rear dormers and rooflights at 101 Lower Road to the south of the terrace which also resulted in the loss of the gablet feature with swept hipped roof to this dwelling. 101 Lower Road is also readily visible within the Conservation Area with views from Lower Road, Chorleywood Bottom and Capell Way and while the current application would alter the existing dwelling, it would balance the roof forms to the row of seven terrace dwellings. The Chorleywood Common Conservation Area Appraisal states in relation to the terrace of which the application site is part that ‘*The boundary of the Conservation Area includes 1920’s houses with fake timbering and bay windows in the edge of Lower Road and half of North* Road’. The current application would not affect the timbering or bay window and given the existing development at 101 Lower Road it is not considered that the development would result in demonstrable harm to the character or appearance of the host dwelling or that it would appear unduly prominent or out of character in the street scene or Conservation Area so as to justify refusal of permission.
	10. There are other dormers and rooflights to properties visible in the area, including to the adjoining neighbour at 93 Lower Road and to 101 Lower Road at the south end of the terrace which are of matching design to those proposed. The dormers would be set down from the main ridge, set back from the rear wall of the dwelling and set in from the edges of the roof and therefore would appear as subordinate additions and would not be out of character or unduly prominent in the area. The proposed rooflight would be mostly screened from view from North Road by the proposed dormers and would not project above the plane of the roof and therefore no objection is raised in respect of the rooflight.
	11. The proposed replacement fencing and the creation of a parking space to the rear of the site with gravel surface would not look visually prominent in relation to the street scene and is considered an appropriate treatment in a Conservation Area. It is also noted that permission for creation of a parking space to the rear of the site has previously been given as part of application 13/0612/FUL.
	12. In summary, while the comments of the Conservation Officer are noted, the proposed development is not considered to result in demonstrable harm to the character or appearance of the street scene or wider Conservation Area and on balance the proposal is considered to be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (2013).
	13. **Impact on Neighbouring Residential Amenity**
	14. 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 extensions 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.
	15. Appendix 2 of the DMP LDD states that the proximity to the flank boundary would be individually assessed when considering single storey side extensions.
	16. The proposed single storey side extension would measure 6.8m in depth. It would be to the north flank of the dwelling and would not project deeper than the existing rear elevation of the two storey rear extension and would be screened by the property. It would not therefore impact on the neighbour at 93 Lower Road through causing loss of light or overlooking.
	17. The proposed single storey side extension would be over 15m away from the neighbour to the north of the application site at 89 Lower Road and is separated by North Road. Given this distance it would not adversely impact the residential amenities of 89 Lower Road. Similarly there would be separation to the rear sufficient to ensure no impact on neighbours to the east.
	18. The proposed hip to gable alteration would be to the north flank of the property and as such would be screened by the application dwelling. Therefore it would not adversely impact the residential amenities of 93 Lower Road. The proposed hip to gable alteration would be over 15m away from 89 Lower Road, the neighbour to the north. Given this distance it is considered that the hip to gable alteration would not adversely impact the residential amenities of 89 Lower Road.
	19. Glazing is proposed to the north flank of the dwelling serving the side extension at ground floor level and there would be a second floor window serving a bathroom. The glazing at ground floor would not cause overlooking and subject to a condition on any consent to require that the second floor window is obscure glazed and top level opening only would not result in loss of privacy.
	20. The proposed dormer windows in the rear elevation of the roof are not considered to adversely impact the residential amenities of the adjoining neighbour at 93 Lower Road. While the dormer windows may allow for some views towards the neighbouring gardens, they would be set in from the flank boundary and views would not be significantly different to those from the existing first floor windows so as to cause unacceptable overlooking. While the dormers would face towards the flank of Bracondale, this neighbour does not include flank glazing and there would not be overlooking to habitable windows. Furthermore, due to the siting of the dwelling there would not be overlooking to the rear garden of this neighbour.
	21. The proposed boundary treatment to the north of the site would measure 2m in height and given separation to neighbours would not adversely impact nearby properties through being overbearing or causing loss of light.
	22. The inclusion of a parking area at the rear of the property would introduce an intensification of use of this area. However, in relation to Bracondale to the immediate rear of the site, the parking space would be on the other side of an intervening access track and behind an existing fence line. Additionally, the proposed parking space would be sited in line with the forward part of this neighbouring site, adjacent to the front garden area and directly accessing the street. It is considered that the inclusion of a parking space within this publically visible and publically accessible street area would have an acceptable relationship with regard to this neighbour, and permission for creation of a parking space to the rear of the site has previously been given as part of application 13/0612/FUL.
	23. Overall, it is not considered that the alterations would result in a significant adverse impact on neighbouring dwellings and the development would be acceptable in accordance with Policy CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.
	24. **Trees**
	25. All trees within the site are protected by the Conservation Area status of the area. Policy CP12 of the Core Strategy relates to the design of development and states that development should have regard to the local context and conserve the quality of an area. Policy DM6 of the Development Management Policies document requires that development proposals demonstrate that existing trees be safeguarded and managed during and after development in accordance with the relevant British Standard.
	26. There is an Ash Tree in the rear garden of the application dwelling which is considered to be of amenity value. While it was initially proposed to remove this tree, amended proposals received during the course of the application indicate that it would be retained. There is therefore no objection to the proposal subject to conditions to ensure that the tree is adequately protected during construction.
	27. **Highways, Parking and Access**
	28. Core Strategy Policy CP10 requires development to provide a safe and adequate form of access and to make adequate provision for all users, including car parking. Policy DM13 and Appendix 5 of the Development Management Policies document set out parking standards and advise that a three bedroom dwelling should have parking for two vehicles and a four or more bedroom dwelling should have three parking spaces within the curtilage of the application site.
	29. The application includes creation of a parking space to the rear of the site which would be gated, with a sliding gate which would open within the site. Hertfordshire Highways initially raised an objection to the application advising that North Road is a Local Access Road subject to a 30mph speed limit and that the proposed gates positioned on the property boundary would not provide a 5.5m set back from the highway such that vehicles waiting would not obstruct the flow of traffic on the highway, and could result in delays to vehicle manoeuvres resulting in obstruction to the safe and free flow of traffic in the vicinity.
	30. While the Highway concerns were discussed with the applicant, and a request was made to remove the gates adjacent to the highway from the proposal, amended plans have not been provided to do this. The applicant has commented that North Road is a lightly used cul-de-sac and that there are examples of gates on busier sections of highway in the vicinity which are not set back from the highway.
	31. The Highways Officer has provided further comments to note that the Highway Authority will not permit the construction of a new vehicular access onto the highway with a gradient in excess of 1 in 10, and that the application site appears to be steeper than this with no details of any measures to alter the slope to comply with relevant standards.
	32. While the Highway Authority has acknowledged the cul-de-sac nature of North Road, and that traffic will be limited, it is not prepared to allow the introduction of a new gated access that does not accord with current highway standards. While the applicant had referred to two other examples of gates in the area, the Highways Officer has noted that the Highway Authority is not aware of having been consulted on applications at these sites and that one example was replacement gates and therefore would not pose an increased highway risk; and that the other is set back 3-4m from the carriageway and that while below standards would provide some opportunity for a vehicle to wait to access the property without creating an obstruction.
	33. While the further comments of the Highway Authority and concern about encouraging further applications of a similar nature are noted, each application must be considered on its individual merits in the light of site circumstances, policy and other material considerations. The National Planning Policy Framework is clear that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (paragraph 32). Permission for a new access has previously been granted under application 13/0612/FUL, and while gates are now proposed which would not comply with Highway Authority guidance in relation to set back from the highway, given the nature of North Road and the level of traffic it is not considered that in this situation the proposal would result in obstruction so as to cause a severe impact as would be required by the National Planning Policy Framework and on balance the proposal would be acceptable in this regard. However, conditions on any consent would require further details of the proposed access and alterations to gradient.
	34. The existing property currently has no off street parking. The development proposal introduces a fourth bedroom, but also includes provision of one parking space to the development. There would remain a shortfall of two spaces to serve the dwelling. However, given there would be no change from the existing shortfall to serve this dwelling, it is not considered that refusal on parking would be justified in this regard.
	35. The Design and Access Statement advises that the parking space is proposed to be gravel with a paved border to North Road to encourage surface water to drain within the site and the gravel surfacing would be permeable. As a consequence, it would not result in unacceptable flood or drainage issues.
	36. While comments received from neighbours during the course of the application have raised concern about the loss of on street parking as a consequence of the proposed parking and it is noted that there would be a loss of an on street parking space, the area is controlled by a permit scheme and there would be no overall loss of resident’s parking. The Highways Officer also considers that the loss of on-street parking would be off-set by the on-site provision. In addition, it is also noted that permission was previously given for the creation of a parking space at this location under application 13/0612/FUL and it is not therefore considered that refusal of permission would be justified due to impact on on-street parking. However, a condition would require provision of the additional parking prior to occupation of the development.
	37. **Amenity Space**
	38. Policy CP12 of the Adopted Core Strategy states that development should take into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space. The extension would result in a minor reduction to the rear garden and the proposed loft conversion would result in a fourth bedroom. Appendix 2 of the DMP LDD states that for a four bedroom dwelling, rear amenity space should measure 105 sqm. The rear garden would measure 90 sqm. Whilst there is an under supply of 15 sqm, it is considered that it would not be justified to refuse planning permission on this under supply. The garden to the rear still provides useable space to serve the application dwelling, and the site is in close proximity to public open space at The Common.
	39. **Wildlife & Biodiversity**
	40. 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. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.
	41. The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application. 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 Local Planning Authority is not aware of any records of bats (or other protected species) within the immediate area that would necessitate further surveying work being undertaken. However, given that the proposed works would affect the roof an informative would be added to any consent to advise the applicant of what to do should bats be discovered during the course of development.
2. **Recommendation**
	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: 422-A1-101 Rev A, 422-A1-102 Rev D, TRDC 001 (Location Plan), TRDC 002 (Boundary Plan and Gate)

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), Policies DM1, DM3, DM6, DM8, DM9, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Chorleywood Common Conservation Area Appraisal (2010).

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

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

C4 The access onto North Road hereby approved shall not be brought into use until it has been laid out and constructed in accordance with details to be firstly submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and convenience in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

C5 The parking space indicated on approved plan 422-A1-102 Rev D shall be constructed in accordance with the approved plans and Design and Access Statement and the hard surface shall be made of porous materials, or provision made to direct run-off water from the hard surface to a permeable or porous area or surface within the application site, prior to the to the first occupation of any part of the development hereby permitted. The parking spaces shall thereafter be kept permanently available for the use of residents and visitors to the site.

Reason: To ensure that adequate off-street parking is provided within the development so as not to prejudice the free flow of traffic and in the interests of highway safety on neighbouring highways in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM8 and DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C6 Before the first occupation of the building/extension hereby permitted the window in the second floor flank elevation 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 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).

C7 No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

The protective measures, including fencing, shall be undertaken in accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been 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: This condition is a pre commencement condition to prevent damage to trees during construction and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

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 £97 per request (or £28 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. The Council's Building Control section can be contacted on telephone number 01923 727132 or at the website above for more information and application forms.

 Community Infrastructure Levy (CIL) - If your development is liable for CIL payments, it is a requirement under Regulation 67 (1) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

 Where possible, energy saving and water harvesting measures should be incorporated. Information on this is also available from the Council's Building Control section. 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.

I2 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.

I3 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.

I4 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: 0845 6014523

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

(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. A list of bat consultants can be obtained from Hertfordshire Ecology on 01992 555220).