

## PLANNING COMMITTEE – 26 MAY 2022

### PART I - DELEGATED

6. **22/0242/FUL – Garage conversion and alterations to existing roof, loft conversion including increase in ridge height, hip to Dutch hip roof enlargement and front dormer window, front rooflights, part single, part two storey rear extension, front porch and alterations to fenestration at 120 WHITELANDS AVENUE, CHORLEYWOOD, HERTFORDSHIRE, WD3 5RG.**

Parish: Chorleywood Parish Council  
Expiry of Statutory Period: 4 May 2022  
Extension of time: 3 June 2022

Ward: Chorleywood South and Maple  
Case Officer: Katy Brackenboro

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: Called into Planning Committee by Chorleywood Parish Council for the reasons set out in full at 4.1.1 below.

#### 1 Relevant Planning History

- 1.1 21/2396/FUL - Garage conversion and alterations to existing roof, loft conversion including, increase in ridge height, hip to gable roof enlargement and front dormer window, front rooflights, part single, part two storey rear extension, front porch and alterations to fenestration. Refused on 08.12.2022.

Reason for refusal:

*The proposed development by reason of the replacement roof with its increased height, gable ends with increased ridge width, bulky dormer windows and disproportionate roofscape would increase the bulk and mass of the dwelling, at first floor and overall resulting in a top heavy and disproportionate extensions which would not respect the character and appearance of the host dwelling, area or streetscene of Whitelands Avenue. The development would therefore cause harm to the visual amenities of the area and the development would be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013), Policy 2 of the Chorleywood Neighbourhood Plan (Referendum Version 2020) and the NPPF (2021).*

An appeal has been lodged against that refusal and the appeal is in progress (Ref APP/P1940/D/22/3294130).

- 1.2 M/184/48 - Bungalow. Implemented.

- 1.3 AM/1208/53/D8401 - 55 Garages.

#### 2 Description of Application Site

- 2.1 The application site contains a detached bungalow located on the northern side of Whitelands Avenue, Chorleywood. The land levels on this part of Whitelands Avenue slope upwards in a south-eastern to north-western direction meaning the properties on this side of the road are located on a higher land level than the adjacent highway.
- 2.2 The application bungalow has a hipped roof form with a bay window to the front elevation and flat roofed dormers to the front, side and rear roof slopes. It is finished in red brick and painted brick around the entrance door. To the north-eastern flank is a flat roofed attached garage which extends beyond the rear elevation.

- 2.3 To the front of the dwelling is a driveway which can accommodate 2 cars and an area laid to lawn. To the rear, there is a patio area which leads up to an area laid to lawn. The application site slopes up steeply towards the rear of the application site.
- 2.4 The street scene of Whitelands Avenue is relatively varied in terms of the style and design of dwellings within it. The street is comprised of a mixture of detached bungalows, detached two-storey dwellings and two-storey semi-detached dwellings.
- 2.5 The neighbouring property to the north-west at No. 122 is a bungalow which a hipped roof form. It is located on a higher land level and set back in relation to the host dwelling. It has a rear dormer. The common boundary is marked by hedging to the rear.
- 2.6 The neighbouring property to the south-east at No. 118 Whitelands Avenue is a two storey detached gabled dwelling located on a lower land level and set on a similar building line in relation to the host dwelling. This neighbour has a detached hipped roofed garage built up to the boundary with the host property. The common boundary between the properties is marked by hedging.

### **3 Description of Proposed Development**

- 3.1 This planning application seeks full planning permission for a garage conversion and alterations to existing roof, loft conversion including increase in ridge height, hip to Dutch hip roof enlargement and front dormer window, front rooflights, part single, part two storey rear extension, front porch and alterations to fenestration.
- 3.2 The existing garage would be converted into a utility, pantry and study and the existing flat roof of the existing garage would be altered to have a new flat roof with a maximum height of 3m with three lantern style rooflights within the roof
- 3.3 The proposal would include the addition of first floor accommodation served by two dormers window to the front and a central rooflight. The new roof would have a Dutch hip roof and crown roof forms with a maximum height of 7.5m sloping to an eaves height of 5.4m, which would be 0.8m higher than the existing ridge and a sunken crown roof. The proposed two storey rear extension would adjoin with the Dutch hip roof form with a maximum height of 7.5m and eaves height of 5.4m, changing the appearance at the rear from a dormer bungalow to a full two storey elevation. The proposal would also include a part single, part two storey rear extension. The single storey rear element would have a depth of 1.7m and span the width of the host dwelling to adjoin the converted garage (10.5m). This rear element would include a bay projection which would project a further 0.5m in depth. The single storey element would have a flat roof with a maximum height of 3.1m. Three lantern style rooflights are proposed within the flat roof. The proposed two storey rear element would have a depth of 2m and span the width of the host dwelling. It would include a sunken flat crown. Glazing is proposed to the rear and north-western flank. The existing bay window to the front elevation would be removed.
- 3.4 A front rooflight is proposed at first floor level to serve a gallery and a Velux rooflight is proposed to the north-western roofslope to serve the en-suite.
- 3.5 A pitched roof front porch is proposed which would have a maximum height of 3.6m and eaves height of 2.1m. It would project 0.7m forward of the front building line to have a depth of 2.7m.
- 3.6 Amended plans were sought during the course of the application. The cat-slide roof over the proposed converted garage was altered to a flat roof with a maximum height of 3m. The front dormers were also reduced in width by 0.2m to have an overall width of 2.4m and reduced in depth by 0.1m to have a depth of 1.6m. The external elevations were confirmed to be finished in smooth render.

3.7 It is noted that this application follows the refusal of planning under planning reference number 21/2396/FUL. The differences between the current application and the refused scheme are listed below:

- The converted garage would have a flat roof form whereas the previously proposed garage had a dummy pitched roof to the front and flat roof behind.
- The current proposal would have a Dutch hipped roof form whereas the previously refused scheme included a pitched roof. To the rear, the current proposal would have a sunken flat crown roof form.
- The first floor rear extension would be 0.5m deeper than the previously refused scheme. One rooflight is proposed within the principal roofslope instead of two.
- Three rooflights are proposed within the flat of the converted garage
- A Velux rooflight is proposed to the northwest elevation to serve the en-suite.
- The proposal would result in an increase of the existing ridge height by 0.5m instead of 0.7m previously proposed.

## 4 Consultation

### 4.1 Statutory Consultation

#### 4.1.1 Chorleywood Parish Council: [Objection]

*The Committee had Objection to this application unless officers are minded to refuse this application the Committee would like to CALL IN this application on the following grounds*

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

*The Parish Council notes that reliance on upwards extensions is no longer a realistic fallback position. In a landmark decision from the High Court CAB Housing Ltd v Secretary of State for Levelling Up, Housing and Communities [2022] EWHC 208 (Admin)*

*The case clarified that:*

*the interpretation of adjoining premises is not restricted to the neighbouring properties immediately next door, the decision maker must take into account the site context; the impact on amenity is not limited to overlooking, privacy and loss of light; and the assessment of external appearance is not limited to parts of the proposals which is only viewed from the highway and are to be considered in the context of the surrounding area.*

*Therefore, this application must be firmly rejected for the following reasons:*

*The proposal would result in the loss of a bungalow in a row of bungalows Policy 4.1 CW NDP.*

*The proposal is out of keeping in the street scene in breach of Policy 2 CW NHP*

#### **Officer comment:**

It is noted that there is no planning history for an upward extension at the application site. As such there is no fall back available. The fallback would only apply with a Prior Approval for an upward extension had been granted. The application is being assessed solely on its individual merits.

4.1.2 National Grid: No response received.

## **4.2 Public/Neighbour Consultation**

4.2.1 Number consulted: 22

4.2.2 No of responses received: 1 objection received

4.2.3 Summary of Response:

- Overshadowing
- Too close to the boundary
- Out of proportion for the street
- Loss of light

A 7 day re-consultation took place due to receipt of amended plans. This expires on 19/05/2022. Any comments received as part of the re-consultation will be verbally updated.

Site Notice: expired 13/04/2022

Press notice: not required

## **5 Reason for Delay**

5.1 Committee Cycle.

## **6 Relevant Planning Policy, Guidance and Legislation**

6.1 National Planning Policy Framework and National Planning Practice Guidance

On 20 July 2021 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The 2021 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). Policies 2 and 4 are 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 Principal of Development

7.1.1 It is noted that the Parish has raised concern regard the loss of the existing bungalow. The site is located within the Chorleywood Neighbourhood Development Plan Area. Policy 4 of the Chorleywood Neighbourhood Plan relates to “housing to meet the needs of local people’. This policy states that “in areas characterised by groups of bungalows those development which require the submission of a planning application will be carefully assessed to ensure that the supply of housing suitable for older and disabled people is not diminished. This will usually mean that suitable bungalows will not be able to be converted into multi-level dwellings”. It is acknowledged that the proposal would result in the creation of a ‘multi-level dwelling’ However, it is noted that the existing bungalow contains front, side and rear dormer windows and the submitted floor plans show that these dormer windows facilitate first floor accommodation, providing three bedrooms and a WC. Therefore, the existing property is already a multi-level dwelling. Whilst the proposal would increase the first floor area, as existing the bungalow contains useable and accessible first floor accommodation. The submitted floor plans demonstrate that all existing sleeping accommodation is upstairs, and this would not change with the proposal. It is not considered that the proposal would demonstrably diminish the supply of housing suitable for older or disabled people, as the extended dwelling could still, with or without further adaption, provide suitable living accommodation for older or disabled people.

7.1.2 As referenced in Policy 4, various alterations can be made to properties without the need to apply for planning permission, via ‘permitted development’ and as such can transform a bungalow into a ‘multi-level dwelling’. For the avoidance of doubt, this application seeks express planning permission and for the reasons stated above is not considered on its own merits to be in breach of Policy 4.

7.1.3 The High Court judgement cited by Chorleywood Parish Council is not applicable to this application.

7.1.4 It is not considered that the proposal would demonstrably diminish the supply of housing suitable for older or disabled people, as the proposed dwelling could still, with or without further adaptation, provide suitable living accommodation for older or disabled people.

### 7.2 Impact on Character and Street Scene

7.2.1 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.

7.2.2 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.’*

7.2.3 It is acknowledged that Whitelands Avenue is relatively varied in character such that there is no overwhelming style or character of dwelling within it. There are bungalows, two storey dwellings and single storey dwellings with substantial first floor accommodation contained within the roofslope. Properties within the vicinity vary in design featuring a mixture of hipped roofs or gabled front elevations.

7.2.4 Appendix 2 of the DMP LDD states in some cases, roof forms in the street may be uniform and therefore this type of alteration may erode the group value of the street and will not be supported by the Council. Appendix 2 of the Development Management Policies LDD also states the following with regard to roof alterations:

“Where roof forms are of a uniform style/height and appearance, it is unlikely that an increase in ridge height will be supported by the Council.”

7.2.5 The application is accompanied by an indicative existing and proposed street scene drawing demonstrating the differences in height between the host dwelling and the two neighbouring dwellings (118 and 122 Whitelands Avenue). The proposed development at 120 Whitelands Avenue would result in a total height of 7.5m above ground level, this is a consequence of the increase in ridge height by 0.5m. The proposed increase in height would result in a property 0.4m lower than nos. 122 and 2.4m taller than number 118. There is a uniformity to the streetscene and the land levels and ridge heights increase accordingly. The proposed ridge would therefore follow the pattern and character of the street scene that exists with the row of dwellings reflecting the topography of the road. As such, when considered in the context of the existing form of the roofslope and wider streetscene of Whitelands Avenue, 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.

7.2.6 The proposed development incorporates a rear extension and alterations to the roof form which would be increased in its overall height and eaves height as well as extensions to form a Dutch hip to the front and a sunken crown roof form. The flank roofslopes and general massing of the extended dwelling would result in the dwelling appearing deeper than the existing hipped roof form. It is however considered, that the proposed development would not appear harmful to the character and appearance of the street scene. Whilst it is noted that the extended dwelling would project forward in relation to No. 122, it is not considered that it would appear unduly dominant and would not result in a prominent addition to the host dwelling. The Dutch hip element would be set in from the common boundary by 3.4m, and the converted garage would have a flat roof element sited up to the common boundary. It is therefore not considered that it would result in harm to the character and appearance of the streetscene. As such, the proposal would overcome the previous reasons for refusal.

7.2.7 The proposal also includes two front dormer windows. Appendix 2 of the Development Management Policies LDD advises that dormer windows should be subordinate to the main roof form, they should be set down from the ridge, set back from the plane of the wall and in from both sides of the roof. It is considered that the proposed dormer windows, given

their width and depth would appear subordinate to the front roofslope and as such are considered acceptable.

- 7.2.8 The proposed front rooflight would appear proportionate in scale and number to the new roof and would not appear incongruous within a streetscene where other rooflights are apparent.
- 7.2.9 The amended roof to the existing extension subject to the garage conversion would have a flat roof form with a maximum height of 3m. It is not considered that, given its flat roof form that this element would result in any harm to the character and appearance of the streetscene. The rooflights to the north-eastern flank may be visible, however, it is not considered that they would result in any harm within a streetcene given they will be set back considerably from the highway.
- 7.2.10 The development proposes a front porch extension. In relation to front extensions, the Design Criteria stipulates that applications will be assessed on their individual merits but should not be excessively prominent within the streetscene. The proposed front porch would have a limited depth of 0.7m beyond the front elevation and width of 2.7m. Given this in addition to its single storey nature, 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.
- 7.2.11 The proposed development would be constructed of render. Whilst this would alter the appearance of the host dwelling, it is not considered that it would result in harm to the wider streetscene given that variation in external appearance exists along Whitelands Avenue.
- 7.2.12 It is considered that the proposal would comply with Policy 2 of the Chorleywood Neighbourhood Plan (Referendum Version August 2020) as it would not result in any harm to the character and appearance of the host dwelling or wider streetscene.
- 7.2.13 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.

### 7.3 Impact on amenity of neighbours

- 7.3.1 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. First floor extensions to the rear of properties should not intrude a 45 degree splay line, taken from a point on the shared boundary level with the rear wall of each neighbour.
- 7.3.2 The application dwelling would be subject to an increase in overall height and roof bulk including an extension to the roof with a hip to Dutch hip roof form. The land levels slope upward to the rear of the dwellings on this side of Whitelands Avenue. The land level also slope upwards in a north-westerly direction meaning that the neighbouring dwelling at no.122 is positioned on a higher land level and the dwelling at no.118 is at a lower level in relation to the host dwelling.
- 7.3.3 The proposed single storey and first floor rear extension would not project beyond the rear elevation of the bungalow at no.122 and would not result in an intrusion of the 45 degree splay line. The site circumstances are such that the application dwelling is positioned lower than this neighbour in terms of relative ground floor level. The dwelling at no.122 is built up

to the shared boundary. It is noted that the first floor rear extension would be sited some 3.2m from the boundary. It is noted that concerns have been raised by neighbours in terms of proximity to the boundary and loss of light. However, it is considered that the proposed extension, given its limited depth and distance from the neighbour would not result in an overbearing impact or loss of light to this neighbouring property.

- 7.3.4 The proposed part single, part two storey rear extension would not project beyond the rear elevation of the neighbouring property at No. 118 and would not result in any intrusion of the 45 degree splay line. The application dwelling is sited on a higher land level in relation to this neighbour. It is noted that No. 118 is set in from the common boundary and the proposed extension would also be set in from the common boundary by 1.8m. Whilst the proposal would increase the bulk and massing of the host dwelling including the enlargement of the main roof form, include an increase in the overall ridge height and hip to Dutch hipped roof form it would not result in an overbearing impact or loss of light to this neighbour.
- 7.3.5 In terms of overlooking, the proposed rear glazing within the ground and first floor elevations would not result in any unacceptable overlooking. The flank rooflight at first floor level serving an en-suite within the north-western flank would be conditioned within any grant of planning permission to be openable above 1.7m to prevent any overlooking to 122 Whitelands Avenue. A condition shall be added to any grant of planning permission to ensure that no windows/dormer windows or similar openings, other than those expressly authorised by this permission shall be constructed in the flank elevations or roof slopes of the extension to prevent any overlooking to any neighbouring properties. Additional glazing is also proposed at ground floor level within the north-western and south-eastern flanks. However this would not result in any unacceptable overlooking. The windows forming the front and rear dormers would overlook the front and rear amenity space of the host dwelling and as such would not result in any unacceptable overlooking. The proposed rooflights would not result in any harm.
- 7.3.6 The proposed garage conversion would retain its existing footprint. The proposed alterations to the roof would increase its height. However, it would have a flat roof with a maximum height of 3m. Given its scale and roof form, it is not considered that it would result in any harm to the neighbouring dwelling at No. 122. The proposed garage conversion would not result in any harm to the neighbour at No. 118 as it would be screened by the host dwelling.
- 7.3.7 The proposed amended front dormer windows given their scale and siting would not result in any harm to any neighbouring properties.
- 7.3.8 In summary, it is not considered that the proposed development would result in demonstrable harm to neighbouring amenity, and as such complies with Policy CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the DMP LDD in this respect.

#### 7.4 Amenity Space Provision for future occupants

- 7.4.1 Policy CP12 of the Core Strategy states that development should take into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space. Specific standards for amenity space are set out in Appendix 2 of the Development Management Policies LDD.
- 7.4.2 Appendix 2 requires 126sqm to be provided for a five bedroom dwelling. The application site would retain in excess of 500sqm of amenity space and as such would comply with Appendix 2 in this respect

#### 7.5 Wildlife and Biodiversity

- 7.5.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive.
- 7.5.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of 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.
- 7.5.3 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 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 proposal involves works to an existing roofspace, an informative regarding bats would be added to any grant of consent

## 7.6 Trees and Landscaping

- 7.6.1 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.
- 7.6.2 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 regard.

## 7.7 Highways, Access and Parking

- 7.7.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means 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.
- 7.7.2 The proposal would create a five bedroom property and the existing garage would be lost. It is noted that the parking standards within Appendix 5 outline that dwellings with 4 or more bedrooms should provide 3 on-site car parking spaces. The existing driveway would be retained which can accommodate 3 cars. As such, the proposal would comply with the parking standards.

## **8 Recommendation**

- 8.1 That subject to no new material considerations being raised, 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: 01 Rev D, 02, 03, 04 REV J, 05 REV J and 06 REV E

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 The proposed development shall not be erected other than in the materials as have been approved in writing by the Local Planning Authority as shown on Drawing Number 04 REV J and no external materials shall be used other than those approved.

Reason: To ensure that the external appearance of the works are acceptable 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 flank rooflight in the north-western elevation serving the en-suite at first floor level as shown on drawing number P04 REV J hereby permitted shall be positioned at a minimum internal cill height of 1.7m above the internal floor level.

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 and/or flank 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).

#### 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](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 Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that 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).