

PLANNING COMMITTEE – 24 FEBRUARY 2022

PART I - DELEGATED

6. **21/2124/FUL - Demolition of existing side extensions and part demolition of the dwelling and erection of part two-storey, part single-storey, rear and side extensions, first floor front extension, remodelling of first floor level and roof including increase in ridge height, alterations to frontage including extension to drive and new access at APRIL COTTAGE, BRIDLE LANE, WD3 4JG**

Parish: Chorleywood Parish Council
Expiry of Statutory Period: 11.11.2021
(Extension of Time 28.02.2022)

Ward: Chorleywood North and Sarratt
Case Officer: Scott Volker

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: Called-in by Chorleywood Parish Council for the reasons set out at Paragraph 4.1.1.

1 Relevant Planning History

- 1.1 00/00602/FUL - Two storey side extension – Approved July 2000 – Not implemented.
- 1.2 06/0108/FUL - Two storey side extension, single storey and two storey side and rear extensions, single storey side garage extension – Approved June 2006 – Not implemented.
- 1.3 09/0507/RSP - Part Retrospective: Two-storey side extension with dormer windows, two-storey and single-storey side and rear extensions with rooflights – Permitted July 2009 – Commenced but not completed.
- 1.4 12/0716/RSP - Part Retrospective: Part single, part two storey side and rear extensions (amendments to development of previously approved application 09/0507/FUL) – Approved June 2012 – Commenced but not completed.
- 1.5 16/0026/CLPD - Certificate of Lawfulness Proposed Development: Construction of an outbuilding with swimming pool, changing rooms, WC and gym area – Permitted March 2016 but not implemented.
- 1.6 16/0409/FUL – Erection of part two-storey and part single-storey side and rear extensions – Refused April 2016 for the following reason:

R1 The proposed development by reason of its design, depth bulk and massing would be disproportionate and unsympathetic to the host dwelling, and would adversely effect the spacious character of the site and Conservation Area. The development would therefore harm the character and appearance of the dwelling, street scene and Conservation Area, contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and the Outer Loudwater Conservation Area Appraisal (2007).

An appeal was lodged and subsequently allowed by the Planning Inspector in August 2016. This permission has not been implemented.

- 1.7 17/1035/FUL - Demolition of existing dwelling and construction of replacement two storey dwelling with basement and construction of new vehicular access. – Permitted July 2017; not implemented.

- 1.8 18/1989/FUL - Variation of Condition 2 (Plan numbers) pursuant to planning permission 17/1035/FUL: Alterations to approved design – Permitted November 2011; not implemented.
- 1.9 21/0039/FUL - Demolition of existing side extensions and erection of part-two storey, part-single storey, rear and side extensions; remodelling of first floor and roof – Withdrawn March 2021.
- 1.10 21/1360/PREAPP - Pre Application: Part single, part two storey side and rear extensions, increase in ridge height to create a true first floor level and new front porch canopy – Written response provided July 2021.

2 Description of Application Site

- 2.1 The application site contains an extended detached two storey dwelling situated on the south side of Bridle Lane in Loudwater. The dwellinghouse is one of several McNamara properties within the Bridle Lane Estate which are distinctive in their appearance due to their thatched roofs and unique design detailing within the front façade.
- 2.2 Bridle Lane is a private gated estate with only one entrance resulting in an absence of through-traffic. The general area contains large detached dwellings set within spacious plots which are well vegetated. Due to the land level variation, the application site is sited on a lower ground level than Random Cottage to the west and sited on a higher ground level than Faraway Cottage (formally Mayswood) to the east.
- 2.3 April Cottage has been previously extended with the addition of a two storey side and rear extension. The extension incorporates a conical staircase and tiled roof form set back from the original front elevation.
- 2.4 Towards the rear of the dwelling there is an extensive amenity garden with an area of approximately 1250sq. metres enclosed by hedging and fencing. A large outbuilding exists towards the south east of the site adjacent to Faraway Cottage.
- 2.5 The site lies within the Outer Loudwater Conservation Area (designated 2006) and is subject to a Tree Preservation Area Order (Bridle Lane, Loudwater No.2, 1986).

3 Description of Proposed Development

- 3.1 Planning permission is sought for the demolition of existing side extensions and part demolition of the dwelling and erection of part two-storey, part single-storey, rear and side extensions, first floor front extension, remodelling of first floor level and roof including increase in ridge height, alterations to frontage including extension to drive and new access.
- 3.2 The two storey extension would result in the demolition of the existing attached garage and utility room along the eastern flank dwelling and would wrap around the north and south-eastern corners of the dwelling. The extension would extend the width of the dwelling by 3.1 metres at the front and would be built in line with the principal elevation of the dwelling. The dwelling would be set in from the adjacent east boundary 3.6 metres at the front, narrowing to 1.3 metres at the rear due to the splayed boundary. The flank elevation of the extension would extend to a depth of 8.2 metres before stepping in 1.5 metres before extending in depth for a further 5 metres and then extending across the rear elevation of the dwelling and up to the 2012 two storey rear extension to measure 10 metres in width. This proposed extension would extend 6.3 metres in depth from the rear wall of the original dwelling.
- 3.3 The proposed development also proposes an increase in ridge height by 0.6 metres to 8.6 metres; sloping down to an eaves height of 4.6 metres. The works would result in the creation of a true first floor level. The width of the main ridge would be increased by 2 metres

to measure 8.5 metres. A sunken crown roof form would be created. The replacement roof would be thatched to match existing.

- 3.4 It is also proposed to construct a large single storey element which would have a stepped rear elevation and which would extend on from the rear elevation of the 2012 rear extension by a maximum of the 13.5 metres at its deepest point. The single storey rear extension projection would be fitted within full height glazing to all elevations except the north-west flank elevation. Due to the land levels it is proposed to excavate part of the rear garden to incorporate this extension and this element would have a flat roof with a maximum height of 3.6 metres.
- 3.5 It is also proposed to relocate the front door of the dwelling to a more central position within the principal elevation of the dwelling and include thatched canopy roof with traditional McNamara eyebrow thatch features over McNamara black oak shiplap boarding.
- 3.6 The existing chimney within the eastern flank will be removed. The submitted plans indicate that the proposed extensions would be constructed using materials that would match those used in the construction of the original dwelling. In addition, where practicable, the original timber windows would be retained and any new windows would match the existing profile and style.

4 Consultation

4.1 Statutory Consultation

4.1.1 Chorleywood Parish Council: [Objection - CALL-IN]

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 Committee agree with the Conservation Officers objections on this application. The proposal would result in less than substantial harm and there are no identified public benefits the outweigh the harm.*
- *The cottage is located in the Outer Loudwater Conservation Area and is locally listed in the Chorleywood Neighbourhood Plan under thatched properties within Chorleywood - Policy 16.*
- *The proposed development is unsympathetic to the character and appearance of the Conservation Area and its special local interest would be lost as a result of this proposal.*
- *If approved requested that a condition is placed on this development that Materials should Match'.*
- *The scale, size and design are out of keeping with the area.*

4.1.2 Conservation Officer: [Comments Received]

This application is for the demolition of existing side extensions and part demolition of the dwelling and erection of part two-storey, part single-storey, rear and side extensions, first floor front extension, remodelling of first floor level and roof including increase in ridge height, alterations to frontage including extension to drive and new access.

The property is located in the Outer Loudwater Estate Conservation Area within sub area 2; Bridle Lane. The properties along Bridle Lane are large and detached, set on generous plots. Each house was individually architecturally design in the 1930s and 1950s. Many of the properties along Bridle Lane, including April Cottage have thatched roofs and are good examples of McNamara houses. Thus, making a positive contribution to the area.

This application follows a full application (ref: 21/0039/FUL) and a pre-application (ref: 21/1360/PREAPP). This scheme is largely the same as submitted within pre-application. Heritage advice relating to the full application stated: I acknowledge that the thatch roof is retained but the increase in ridge height, alterations to eaves detailing and loss of dormers erodes key features that give the property its defining character. 'less than substantial' harm was identified as the proposal would have fundamentally altered the appearance of the dwelling.

The current proposal makes better reference to the existing appearance of the property. The proposal would still result in the increase in ridge height and alterations to the eaves. However, the increase in ridge has been reduced when compared to the previous scheme and the eaves are dropped so they sit in line with the first-floor windows. Whilst such amendments do alter the appearance of the property, they do go some way to address previous concerns; the scale is more proportionate to the surrounding development and the architectural detailing now makes reference to the character and appearance of the Conservation Area. There are some concerns regarding the proposed crown roof form, however, as per pre-application advice: The proposal includes a crown roof form set down from the ridge, whilst the Design Criteria at Appendix 2 generally discourages against the inclusion of crown roofs, the 2018 permission included such a roof form. The Conservation Officer commented that in comparison to the previous consent the proposed roof form is considered more favourable. Therefore, no objection is raised in this regard. This advice remains applicable.

There are, however, outstanding concerns regarding the loss of historic fabric, proximity of the property to the boundary, and the scale and appearance of the porch which would amount to 'less than substantial' harm (paragraph 202 of the NPPF). Whilst the appearance of the proposed alterations and extensions are considered to be more in keeping with the special interest of the Conservation Area, there are concerns that the proposal, given scale of extensions would result in the loss of historic fabric. I recommend a demolition plan is provided to show what extent of the existing property is retained.

The proposed increase in width would result in the property extending under one metre from the plot boundary. As highlighted within pre-application advice, this would undermine the spacious and sylvan appearance of the Conservation Area, which is a key feature of the area's significance. I recommend the space between the boundary and the flank building line is increased to ensure the character and appearance of the Conservation Area is preserved. The proposed front canopy/ covered entrance appears overly dominant and disproportionate within the front elevation. The porch/ canopy would detract from the character and appearance of the property. I also consider the full height side lights overly modern and undermine the character of the property. There is scope for a small porch however, the scale should be significantly reduced, and the overall appearance of the entrance way improved.

It is understood that substantial demolition and significant extension of the property (ref: 16/0409/FUL) was refused and subsequently allowed at appeal (ref: APP/P1940/D/16/3153068). Following this, a full application was submitted and granted permission for the demolition and rebuild of the property granted permission (ref: 17/1035/FUL & 18/1989/FUL), there are fundamental concerns regarding the complete loss of the property. Whilst I do not consider the previously granted schemes to be sympathetic to the significance of the Conservation Area, I acknowledge that such applications are given material consideration and therefore form the baseline from which this application is assessed. I would not support the proposal in its current iteration for the reasons stated above, however there is potential for an acceptable scheme here were the concerns addressed. Given the previously granted permissions, this scheme is considered more favourable as it better preserves the character and appearance of the Conservation Area compared to the previous schemes.

Officer Comment: Following receipt of these comments further verbal discussions were held between officers and the Conservation Officer to clarify points raised with regards to spacing between the proposed extension and the flank boundary and the inclusion of the front canopy porch. These discussions are referred to in more detail later in the analysis section of this report at section 7.2.

4.1.3 Landscape Officer: [Initial objection overcome, no objection subject to conditions]

The site is within the Loudwater Conservation Area and there are trees on-site, protected by Tree Preservation Order (TPO014 &227). The submitted plans do not provide sufficient information on the impact on trees or hedges.

As a result it is not possible to fully assess the impact of the development from a tree and landscape perspective, due to insufficient information that accords with the British Standard on Trees and development (BS5837). In particular, trees and hedging have not been accurately plotted in relation to the proposed development; the Root Protection Areas (RPA) and canopies are not to scale; and there is insufficient information on the size / species / condition of existing trees.

The proposal is contrary to Policy DM6 of the Three Rivers Local Plan 2014.

Officer Comments: Following receipt of the above comments, the applicant provided an Arboricultural Impact Assessment and a Tree Protection Plan. Both documents were reviewed by the Landscape Officer and subsequently removed their original objection subject to the development being undertaken in accordance with the submitted AIA and TPP.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 7

4.2.2 No of responses received: 0 objections, 0 letters of support

4.2.3 Site Notice: Posted: 17.09.2021 Expired: 08.10.2021

Press notice: Published: 24.09.2021 Expired: 15.10.2021

4.2.4 Summary of Responses: not applicable.

5 Reason for Delay

5.1 Ongoing Discussions and Further Information Requested

6 Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

In 2021 the new National Planning Policy Framework was published. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

6.2 The Three Rivers Local Development Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP9, CP10 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM3, DM6 and DM13 Appendices 2 and Appendix 5.

At a meeting of Full Council on Tuesday 20th October 2020, the Council agreed that the Chorleywood Neighbourhood Development Plan (Referendum Version, August 2020) should proceed to referendum on 6 May 2021 (as required by Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020). A Decision Statement was subsequently published on 21 October. In accordance with Planning Practice Guidance relating to Neighbourhood Planning, the Chorleywood Neighbourhood Development Plan can now be given significant weight in decision making, so far as the plan is material to the application. Policies 1, 2 and 16.1 are relevant to the current proposal.

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.

Outer Loudwater Conservation Area Appraisal (adopted 2007).

7 Planning Analysis

7.1 Background

7.1.1 As set out in section 1 of the report there is extensive planning history on this site. When assessing the size and scale of the proposed extended dwelling and its proximity to flank boundaries, regard is had to the planning history of the site.

7.1.2 Application 16/0409/FUL was granted at appeal, reference APP/P1940/D/16/3153068. In the appeal it was acknowledged by the Planning Inspector that the extensions proposed under 16/0409/FUL would increase the bulk and massing of the existing dwelling and undoubtedly have some bearing on the character and appearance of the conservation area.

However, the Inspector had regard to an extant permission 12/0716/RSP and a lawful development certificate which proposed a swimming pool and sun room building, 16/0026/CLPD, which would have been the fall-back position if the appeal was dismissed and considered that the extensions proposed under 16/0409/FUL would have a preserving effect on the character and appearance of the Conservation Area. Furthermore, in assessing the impact of the two storey rear extension proposed under 16/0409/FUL the Planning Inspector commented that only glimpsed views of the extension would be afforded from Bridle Lane and that it would have little bearing on the attractive qualities of the area or upon the character and appearance of the Conservation Area.

- 7.1.3 Planning permission was later granted in 2017 under reference 17/1035/FUL which involved the full demolition of the application dwelling and construction of a replacement building. This was later varied under 18/1989/FUL to reposition the replacement dwelling within the plot. The replacement dwelling included two linked elements in a stepped formation with both elements having Dutch-hip roof forms. A 6.1 metre deep flat roof element linked the two Dutch-hip roofs.
- 7.1.4 Officers have requested a comparison plan displaying the historic and current application from the applicant and this will be circulated to members and verbally addressed at the meeting.

7.2 Design & Impact on Heritage Assets

- 7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) states that development should 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'conserve and enhance natural and heritage assets'. Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) set out that development should not have a significant impact on the visual amenities of the area and that extensions should respect the existing character of the dwelling, particularly with regard to roof form, positioning and style of windows and doors and materials.
- 7.2.2 The site is within the Outer Loudwater Conservation Area and therefore Policy DM3 of the Development Management Policies LDD (adopted July 2013) is also applicable. Policy DM3 sets out that within conservation areas, development will only be permitted if the proposal is of a scale and design that preserves or enhances the character and appearance of the area.
- 7.2.3 As set out the Outer Loudwater Conservation Area Appraisal (2007) the area has been designated as a Conservation Area because it forms the attractive and distinctive setting for Loudwater based on the well-wooded valley bordering the River Chess and incorporating low density residential development. The special character of the area is derived from the older houses set apart from each other on large individual plots, with wide frontages and mature landscapes. The spacious and sylvan character of the area is a key feature of the Outer Loudwater Conservation Area.
- 7.2.4 Policy 1 of the Chorleywood Neighbourhood Development Plan states that Development proposals in conservation areas should preserve or enhance the character or appearance of the conservation area and use materials that are appropriate as defined in the relevant conservation area appraisal document. Policy 2 states that all development should seek to make a positive contribution to the 'street scene' by way of frontage, building line, scale and design. Policy 16.1 states that development proposals which affect an asset of local value listed in Annex C must demonstrate that the asset will be conserved according to its significance and take every available opportunity to enhance it.
- 7.2.5 The proposed development would result in a slight reduction in footprint to the 2017/2018 scheme however would be of a different design which includes the introduction of a true

first floor level and an altered roof design which still includes a sunken crown roof. The Conservation Officer requested that a demolition plan be provided to show what extent of the existing property is retained. Such plan was provided by the applicant which shows the existing walls to be retained. The Conservation Officer was satisfied with the plan acknowledging that a large proportion of the original dwelling would be demolished aside from the original ground floor level of the principal elevation and the later extensions along the dwellings western aspect.

- 7.2.6 The Conservation Officer has initially raised concerns that the extended dwelling would only be set in 0.7 metres and therefore was contrary to guidance detailed in Appendix 2 however; the submitted Block Plan details that the dwelling would be set in 3.5 metres from the east boundary at the front narrowing to 1.3 metres at the rear as a result of the splayed boundary. The Conservation Officer was verbally consulted to clarify their concerns and it was confirmed that they had incorrectly referred to the 2021 pre-application scheme which proposed a set in distance of 0.7 metres at the narrowest point. They acknowledged the spacing indicated on the submitted Block Plan was greater and raised no concerns with this distance. Furthermore, the approved 2018 scheme repositioned the dwelling 2.7 metres and 1.3 metres from the splayed boundary. As such, it is considered that adequate spacing is provided between the extended dwelling and the eastern boundary ensuring that the spaciousness and sylvan character of the area is not impacted.
- 7.2.7 The introduction of the true first floor level would alter the appearance of the original dwelling and would result in the loss of features such as the catslide roof and two pitched roof dormers chimney. The development would also result in the increase in ridge height of the dwelling. An indicative proposed street scene plan was submitted which details that the ridge of the dwelling would continue to follow the stepped ridge heights of the dwellings along this part of Bridle Lane as a result of the topography of the land which rises gradually from east to west. As such it is not considered that the increase in ridge height is unacceptable in this regard.
- 7.2.8 The development would increase the bulk and massing of the dwelling at first floor and roof level and there would be oblique views of the extended flank when approaching from the east along Bridle Lane. The Conservation Officer acknowledged that the proposed development would result in notable change to the appearance of the building but they considered the scale to be more proportionate to the surrounding development. The scheme does include a sunken crown roof and such roof forms are generally discouraged as set out in Appendix 2 of the DMP LDD. The Conservation Officer raised some concerns with this element, however, acknowledged that the 2018 permission included such a roof form and considered that in comparison to the previous consent the proposed roof form is more favourable. Therefore, they raised no objection in this regard.
- 7.2.9 Whilst the appearance of the dwelling would be altered the proposed development would retain original features such as the timber framed windows, thatched arch feature and any new windows would match the existing profile and style; traditional match McNamara eye-browed first floor windows covered with Norfolk reed thatch with lead valleys. This would be reflective of the original dwelling and other McNamara style properties in the area. The existing white rendered walls to the entire front elevation would be retained. This is in accordance with Policy 16 of the Neighbourhood Plan. The Conservation Officer commented that the architectural detailing now makes reference to the character and appearance of the Conservation Area and is considered favourably.
- 7.2.10 The proposed development includes a thatched Horseshoe arched central dormer & porch-covered entrance door which the Conservation Officer suggested should be reduced in size with the removal of the full height sidelights. Amended plans were requested however none were received. The applicant stated that the front entrance had been reduced since the pre-application in both width and depth and the supporting Heritage Statement details that the proposed entrance replicates other original McNamara properties within both the Outer Loudwater and Loudwater Estate Conservation Areas. Similarly the full height sidelight

detail is replicated in several of the original nearby McNamara properties. The Conservation Officer was verbally consulted on this and accepted that there are other examples and accepted the Horseshoe arched central dormer & porch-covered entrance door as proposed.

- 7.2.11 The new vehicular carriage driveway would increase the extent of hardstanding within the frontage of the site however there are other large driveways to the front of other dwellings along Bridle Lane and as such it is not considered that the proposed new vehicular access and driveway would result in any significant harm to the character and appearance of the Conservation Area. It is noted that a similar carriage driveway was included within the 2017 consent.
- 7.2.12 In summary, the proposed development would result in a notable change to the character and appearance of the McNamara dwelling including partial demolition, increase in ridge height and an increase to the overall bulk and mass of the dwelling. Whilst acknowledging the development is substantial regard is had to the planning history on this site. Within their comments the Conservation Officer viewed the previously granted schemes to be unsympathetic to the significance of the Conservation Area, however they acknowledged that such applications are material considerations and therefore form the baseline from which this application is assessed. Whilst they raised some initial concerns with the proposal these have since been corrected or addressed and accepted. When taking into account the previous permissions the Conservation Officer considered this scheme more favourable as it better preserves the character and appearance of the host dwelling and Conservation Area compared to the previous schemes.
- 7.2.13 As such, it is not considered that the proposed development would result in demonstrable harm to the character and appearance of the host dwelling, streetscene and Conservation Area. As such, the development would accord with Policies CP1 and CP12 of the Core Strategy, Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD, the Outer Loudwater Conservation Area Appraisal (2007) and the Chorleywood Neighbourhood Development Plan (Referendum Version, August 2020).

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 the loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.
- 7.3.2 The Design Criteria at Appendix 2 state that new development should not intrude on a 45 degree splay line drawn across the rear garden from a point on the joint boundary, level with the rear wall of the adjacent property.
- 7.3.3 The application site and its immediate neighbouring properties are situated on extensive detached plots. Both neighbours have been extended close to the boundary with the application site. Random Cottage has a single storey extension which projects beyond the rear building line of April Cottage. In addition, Faraway Cottage has built a high pitched roof extension along the boundary which also projects beyond the rear building line of April Cottage.
- 7.3.4 Excluding the single storey rear extension, the proposed development would be to the eastern aspect of the original dwelling and as such would not result in demonstrable harm to the residential amenities of Random Cottage to the west.
- 7.3.5 The proposed development would increase the extent of two storey built form closer to Faraway Cottage. This neighbour has an existing high pitched roof extension along the

boundary for a depth of approximately 8 metres. The proposed extensions would not extend beyond the rear elevation of this neighbour's extension and as such it would not intrude the 45 degree splay line taken from the shared boundary. This neighbour does not contain any flank glazing facing toward the application site. As such, it is not considered that the proposed development would result in any loss of light or become an overbearing form of development towards this neighbour.

- 7.3.6 As previously highlighted, the Design Criteria at Appendix 2 of the Development Management Policies LDD state that single storey extensions to detached dwellings should have a maximum depth of 4 metres. The single storey rear extension has a depth of around 13 metres. Whilst the depth of this element is well in excess of the 4 metre guideline, the development has previously been found acceptable under application 17/1035/FUL. This element would be set in a minimum of 7.5 metres from Random Cottage and 13 metres from Faraway Cottage and therefore was not considered to result in any significant harm to either neighbour in terms of loss of light or become an overbearing form of development.
- 7.3.7 The glazing located within the rear elevation of the extension would primarily face onto the rear amenity space of the application site. Although the rear of the application site backs onto the amenity space of 11 Lower Plantation, there is a separation distance of approximately 45 metres between the rear elevation of extended dwelling and the boundary. In addition, the rear boundary is lined with mature trees which screen the views of this neighbour to the rear. As such, it is not considered that the proposed development would result in any loss of privacy towards this neighbour at the rear.
- 7.3.8 Due to the setback distance between the dwelling from the highway and relationship with neighbouring properties on the opposite side of Bridle Lane, there would be no overlooking from the glazing proposed to the front elevations of neighbouring properties opposite.
- 7.3.9 It is therefore not considered, that the proposed development would result in any detrimental impact towards neighbouring residential amenities and is 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 document (adopted July 2013).

7.4 Amenity Space

- 7.4.1 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 provides indicative levels of amenity/garden space provision in relation to the number of bedrooms. The proposed dwelling would contain five bedrooms, although the storage room could be used as a sixth bedroom.
- 7.4.2 A dwelling of this size should have 147sq. metres of amenity space provision. The application site benefits from an amenity space of approximately 1000sq. metres which is well in excess of the indicative levels for a dwelling of this size and would be sufficient for future occupiers of the new dwelling.

7.5 Wildlife and Biodiversity

- 7.5.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive.
- 7.5.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires

Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application.

7.6 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 the proposed works to the roof of the dwelling an informative will be added in case of bats being discovered.

7.7 Trees and Landscaping

7.7.1 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.

7.7.2 The Landscape Officer was consulted on the application and original raised and objection to the proposed development due to insufficient information. During the course of the application process the applicant provided an Arboricultural Impact Assessment and Tree Protection Plan. The AIA states that the development does not require the removal of any trees, not is any facilitation pruning required to enable the proposed development.

7.7.3 The Landscape Officer was verbally consulted on the additional information and confirmed the submitted AIA and TPP to be acceptable and subsequently removed their objection subject to a condition requiring the development to be undertaken in accordance with the submitted details.

7.8 Highways, Access and Parking

7.8.1 Policy CP10 of the Core Strategy (adopted October 2011) requires development to make adequate provision for all users, including car parking. Appendix 5 of the Development Management Policies document sets out parking standards for developments within the District.

7.8.2 The extended dwelling would contain a minimum of five bedrooms with the potential to convert the storage room into a sixth bedroom. This would require three off-street parking spaces within the curtilage of the plot. The proposed development would result in the loss of the garage along the east aspect of the dwelling. The existing driveway and attached garage along the west aspect of the dwelling would provide sufficient off-street parking to serve the dwelling.

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: 158:01 REV-C, 158:02 REV-A, 158:03 REV-B, 158:05 REV-B, 158, 158:11 REV-K, 158:12 REV-J, 158:13 REV-F, 158:15 REV-J, and Tree Protection Plan December 2021.

Reason: For the avoidance of doubt and in the proper interests of planning and to safeguard the character and appearance of the Conservation Area and the residential amenity of neighbouring occupiers, in accordance with Policies CP1, CP9, CP10 and

CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013), the Outer Loudwater Conservation Area Appraisal (2007) and Policies 1, 2 and 16 of the Chorleywood Neighbourhood Development Plan (Referendum Version, August 2020).

- C3 Before any building operations above ground level hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

Reason: To prevent the building being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C4 The protective measures, including fencing, shall be undertaken in full accordance with the submitted Tree Protection Plan by Merewood Arboricultural Consultancy Services dated December 2021 before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained as approved 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: To ensure that no development takes place until appropriate measures are taken to prevent damage being caused 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).

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 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 applicant and/or their agent and the Local Planning Authority engaged in pre-application discussions which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 13 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.
- 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.
- 15 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).