**16. 17/1836/FUL – First floor and two storey rear extensions, two storey front gable projection, extension to roof and alterations to front elevation and fenestration at 29 BEDFORD ROAD, MOOR PARK, HA6 2AY for Mr Ramachandran**

(DCES)

Parish: Batchworth Community Council Ward: Moor Park & Eastbury

Officer: Jake Shiels Expiry Statutory Period: 27 October 2017

Recommendation: That Planning Permission be Granted

Reason for consideration by the Committee: A Councillor lives adjacent to the site.

◼

1. **Relevant Planning History**
   1. W/1319/66 - House and Garage – Original building, 25.07.1966.
   2. 8/491/88 - Replacement House – Approved, 18.08.1988.
   3. 17/0633/FUL - First floor and two storey rear extensions, two storey front gable projection, extension to roof and alterations to front elevation and fenestration. Withdrawn, 11.07.2017.
2. **Site Description** 
   1. The application site contains a large two storey detached dwelling located on the east side of Bedford Road within the Moor Park Conservation Area. The dwelling dates from c.1988, and was a replacement dwelling to the previous which dated from c.1966. The site is rectangular in shape, measuring 2,255sqm in area and the application dwelling is set back from Bedford Road by approximately 18m.
   2. The application dwelling has an intersecting hipped roof form, white rendered exterior with black timber beams and tiled roof. The dwelling to the front elevation has a gable projection to the centre at two storey level and a two storey central gable projection to the rear of the property, with two balconies at first floor to the rear. The frontage consists of a carriage driveway which provides ample parking which is enclosed by vegetation along the side boundaries.
   3. The dwelling to the rear has a single storey element which measures 19.7m in depth, located closest to the boundary with 27 Bedford Road. The single storey element measures 8m in width and has a pitched roof with a maximum height of 5.4m before sloping down to an eaves height of 3.2m. This single storey element of the building serves a swimming pool, living room, sauna and WC.
   4. The site to the rear has an area of concrete paving slabs that winds around the south flank and rear elevation of the dwelling and follows the line down to the rear wall of the single storey element of the building before leading to a rear amenity space comprising an area laid to lawn and a small pond which is enclosed by high hedging.
   5. 27 Bedford Road to the north of the application site is a detached dwelling on a slightly lower land level to the application dwelling and has recently been demolished and re-built (11/1346/FUL). 31 Bedford Road is to the south of the application dwelling, is on a similar land level to the application dwelling and has recently been demolished and re-built (13/1963/FUL).
3. **Proposed Development**
   1. The applicant seeks planning permission for first floor and two storey rear extensions, two storey front gable projection extension to roof and alterations to front elevation and fenestration.
   2. The rear extensions at ground floor would extend from the rear elevation of the main dwelling with a maximum depth of 6m extending the existing kitchen out from a recessed space and over the existing raised patio area. This part of the extension would have a width of 3.9m. The single storey element would have a staggered depth with the remainder of the extension extending from the centre of the dwelling measuring 3.6m in depth and 7.2m in width. The single storey extensions would have a height of 4.2m with a flat roof form. The extensions would contain 2 sets of bi-folding doors.
   3. The two storey rear extension would extend from the centre of the dwelling by a maximum of 3.5m, would have a width of 7.5m and would have a maximum height of 9.3m and an eaves height of 5.5m. The proposed extension would have a gable roof and would serve a bedroom. The extension would contain two windows at first floor and a Juliet balcony.
   4. A first floor rear extension would extend over the existing single storey element to the rear, measuring 1.8m in depth and 4.7m in width. A second first floor rear extension would extend over the existing balcony within the south east corner of the dwelling, having a staggered depth between 1.9m towards the centre of the dwelling to 6m from the flank of the dwelling. Both extensions would have a gabled roof form and measure 9.3m in maximum height and 5.5m in eaves height to match with the proposed two storey extension. Both first floor extensions would serve bedrooms and would incorporate enclosed balconies.
   5. The two storey front extension would have a gable roof with a maximum height of 8.2m and an eaves height of 5.6. The extension would extend from the front elevation of the main dwelling by a maximum depth of 1.8m and measure 7m in width. The front extension would incorporate 4 pillars that would extend up to 5m in height to support the extension.
   6. The proposal would also include an increase in the ridge height of the dwelling. Whilst there would be no increase in the maximum ridge with the central highest element retained, the height to either side would be increased from 8.6m to 10m to the south west section of the dwelling and from 9.3m to 10.2m to the north west section of the dwelling. Two chimneys would also be removed as part of these works.
   7. To the frontage, fenestration alterations are proposed with 8 single casement windows at first floor and 5 at ground floor. A garage is to be retained to the front elevation at ground floor with a 6 panel door proposed.
   8. The roof of the existing single storey part of the dwelling to the rear would be reduced in height by approximately 1m from 5.4m to 4.5m. Fenestration alterations are also proposed to this element, with four double doors and three rooflights proposed within the south flank of the single storey building, while a single casement top opening window and three rooflights are proposed within the north flank.
   9. Fenestration alterations are also proposed within the main dwelling with all existing windows being replaced with shutter windows with aluminium clad timber cills proposed.
   10. The dwelling in its entirety would be finished in red fair faced brickwork with clay roof tiles.
   11. Amended plans were received during the application process to show the reduction in the width of the 4 central pillars, while the height of the front extension has been reduced from 9.5m to 8.2m.
4. **Consultation**
   1. Batchworth Community Council: No comments received.
   2. National Grid: No comments received.
   3. Conservation Officer: Objection.

*“This new scheme is a reduction on 17/0633/FUL (comments below), however, I consider that the design is still inappropriate and the scale and bulk of the proposed extension will have an adverse impact on the character and appearance of the host dwelling, street scene and views within the Conservation Area, and as such the proposal fails to meet the criteria set out in policy DM3.*

*The Moor Park Conservation Area is characterised by Arts and Crafts forms and generally less visually dominant houses. The overwhelmingly classical form of this design, with its formal and dominant front portico and doric columns, balustrading and large roof, is therefore inappropriate and out of place in this context”*

* 1. Moor Park (1958) Limited: Objection.

*“The Directors of Moor Park (1958) Limited would wish to raise the following objections, concerns and comments on the application proposals. While we acknowledge the revisions that have been made to reduce the adverse impact of the worst aspects of the earlier (withdrawn) application, we nevertheless consider that there are still numerous shortcomings as follows:-*

*1. It is our view that the overall scale and dominant visual impact of the proposed development in the street scene, as still shown in the revised application, especially by virtue of the proposed enlarged/re-modelled roof with its associated increased bulk, mass and its* ***proposed raised ridge height*** *(compared to the lower ridge heights on both sides of the small apex of the existing roof), combined with the substantial and over-dominant nature of the proposed gable feature on the projecting front elevation, represents an incongruous and unsympathetic form of development compared to the character and styling of the existing property (including its varied ridge height) such that is not in keeping with the variety and design of dwellings that are associated with the prevailing mixed character and appearance of the frontage of dwellings in this part of the Conservation Area.*

*As a result, the proposed front extension and bulk, mass, scale and uniformity of the proposed roof design in our view would have an adverse and overbearing impact on the appearance of the street-scene and would fail to preserve or enhance the character and appearance of the Conservation Area.*

***2.*** *Relying on the scale bars on the revised drawings it has been calculated that the resultant plot coverage, if the proposed extensions are erected (albeit at a slightly reduced footprint compared to the previous scheme), would still nevertheless be approximately* ***21.5%,*** *which remains unacceptable*

*The Council will be aware that part of paragraph 3.4 of the approved Moor Park Conservation Area Appraisal (MPCAA) states that* ***"buildings, including all outbuildings, should not cover more than 15% of the plot area...".*** *The provisions of approved MPCAA are clearly material in planning terms and fully appropriate and applicable in this case and will need to be taken fully into account.*

*In our opinion, the plot coverage of the existing property already exceeds the maximum 15% coverage figure (being approximately 18%), and this provides further grounds for not supporting the proposed development in the revised application that seeks to increase the plot coverage even further above the 15% maximum.*

*Such an extent of plot coverage would materially and demonstrably harm the character, appearance and openness of this plot within the Conservation Area and would fundamentally run contrary to the attractive and prevailing character and generally low level of development found on individual plots throughout the Conservation Area. Consequently, we wish to raise an* ***objection*** *on the issue of excessive plot coverage.*

*Development on this extent of plot coverage and overall scale would fail to preserve or enhance the character and appearance of the designated Conservation Area. In light of the above we would request that the Council fully upholds the provisions of this part of para 3.4 of the MPCAA and refuses the proposed development on this ground.*

*The maximum 15% plot coverage figure in the approved MPCAA should not be set aside in favour of this latest application, and should there be any further increase considered then we would request that the Council imposes a planning condition to remove residential permitted development rights for all future development at the site, in the interests of protecting the site from development that would otherwise result in an even greater and extent of plot coverage and associated loss of openness.*

***3.*** *Para 3.4 of the MPCAA also states the following :-*

*"the bulk and massing of large extensions......will also be considered in terms of consistency with the characteristic building form of the Conservation Area.*

*Deep floor plans that entail substantial rearward projection at flank walls, tend to block oblique views of trees and back garden drops from the street past houses on the street frontage. Where this affects the spacious character of the conservation area and gives the impression of space between houses being reduced or gaps being closed up, deep floor plans are unlikely to be acceptable".*

*In our opinion the revised proposals in the current application that still incorporates a first-floor rear extension that increases the bulk and depth of the dwelling along its southern flank, presents exactly the style of unacceptable development as described in para 3.4 of the approved MPCAA. On this basis we consider that the openness, and resultant character, of the Conservation Area would be materially harmed and we therefore wish to maintain this as an* ***objection*** *to the scheme.*

***4****. Finally, while overlooking and resultant loss of privacy is normally an issue for neighbours to comment on, we are mindful of the proposal to incorporate two balconies within the rear elevation as part of the first-floor layout. While we note that these are now appear to be screened by flank walls, nevertheless we consider that if there is any prospect of any material loss of privacy, by reason of the overlooking from either (or both) of these balconies, we would ask the Council to have specific regard to this important issue and to seek appropriate amendments (or safeguarding planning conditions) prior to the determination of this application.*

*We trust the above response, based on what we regard as relevant and material planning considerations, primarily within the approved MPCAA, is of assistance to you.”*

**4.5** Highways Authority: No 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 does not wish to restrict the grant of permission.*

*The application comprises of a first floor and two storey rear extension at 29 Bedford Road, Moor Park. Bedford Road is not highway maintainable at public expense. The nearest highway maintainable at public expense is Batchworth Lane.*

*VEHICLE ACCESS & PARKING: The applicant has indicated that there is no new or altered vehicular or pedestrian access from Bedford Road or changes to the existing parking arrangements.*

*REFUSE / WASTE COLLECTION: No specific details for waste collection have been provided as part of the application although presumably this will remain unchanged. Provision for an on-site bin / refuse store should be made and the collection method must be confirmed as acceptable by TRDC waste management.*

*EMERGENCY VEHICLE ACCESS: The proposals are all within the recommended emergency vehicle access of 45 metres from Bedford Road to all parts of the building. This adheres to guidelines as recommended in MfS, Roads in Hertfordshire; A Design Guide and Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses.*

*CONCLUSION:*

*HCC as Highway Authority has considered that the proposal is of a small scale residential extension and would not have an unreasonable impact on the safety and operation of the nearest highway. HCC has no objections or further comments on highway grounds”.*

* 1. Landscape Officer: No objection.

***“****I hold no objections to the proposal as there are no arboricultural constraints.*

*The location is within the Moor Park Estate Conservation Area. This protects all trees with a girth >75mm.*

*There are a Cedar and two cherries in the front garden. Whilst they are surrounded by hardstand and verge, they will still require fencing protection as in accordance with British Standard 5837: 2012 Trees in relation to design, demolition and construction.*

*The following conditions should be applied:*

***No felling or lopping***

*No trees, hedgerows or shrubs within the curtilage of the site, except those shown on the approved plan(s) or otherwise clearly indicated in the approved details as being removed, shall be felled, lopped or pruned, nor shall any roots be removed or pruned without the prior consent of the Local Planning Authority during development and for a period of five years after completion of the development hereby approved. Any topping or lopping approved shall be carried out in accordance with BS: 3998 (2010) ‘Tree work - Recommendations’. Any trees, hedgerows or shrubs removed or which die or become dangerous, damaged or diseased before the end of a period of five years after completion of the development hereby approved shall be replaced with new trees, hedging or shrub species (of such size species and in such number and position as maybe agreed in writing),* *before the end of the first available planting season (1st October to 31st March) following their loss or removal.*

*Reason: The existing trees/hedgerows/shrubs represent an important public visual amenity in the area and should be protected in accordance with the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Polices LDD (adopted July 2013).*

***Tree protection scheme- Details***

*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, without the written consent of the Local Planning Authority. 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 protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Polices LDD (adopted July 2013).”*

* 1. **Public Consultation**

**4.7.1** Numbers consulted: 8 No. responses received: 0

**4.7.2** Site Notice: *Posted* - 15.09.17 *Expired* - 06.10.17

**4.7.3** Press Notice: *Published* - 15.09.17 *Expired* - 06.10.17

**5.** **Reason for Delay**

**5.1** No delay.

**6. Relevant Planning Policy, Guidance and Legislation:**

**6.1** The Three Rivers Local Plan

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

The Development Management Policies LDD was adopted on 26 July 2013 having been through a full public participation process and Examination in Public. Relevant Policies include: DM1, DM3, DM6, DM13 and Appendices 2 and 5.

**6.2** 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 Statements (NPPF). The adopted policies of Three River District Council reflect the content of the NPPF.

**6.3** Moor Park Conservation Area Appraisal (adopted 2006).

**6.4** The Localism Act received Royal Assent on 15 November 2011. The Growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

**6.5** The Wildlife and Countryside Act 1981 (as amended), the Conservation or Habitats and Species Regulations 2010, the natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

1. **Analysis**
   1. *Design and impact on street scene and Conservation Area*

**7.1.1** Policy CP1 of the Core Strategy seeks to support 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’.

* + 1. Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not have a significant impact on the visual amenities of an area 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.
    2. The application dwelling is located within the Moor Park Conservation Area and therefore Policy DM3 of the Development Management Policies LDD (adopted July 2013) is applicable. The policy states that applications will only be supported where they sustain, conserve, and where appropriate enhance the significance, character and setting of the asset itself and the surrounding historic environment. Any development must be of a design and scale that preserves or enhances the character or appearance of the area.
    3. The Moor Park Conservation Area Appraisal (adopted October 2006) sets out guidelines for extensions within the Moor Park Conservation Area. The purpose of the guidance is to ensure that the spacious open character of the estate is maintained; to avoid the overdevelopment of plots and to prevent overshadowing and overlooking of nearby properties.
    4. Guidance specified within the Moor Park Conservation Area Appraisal (adopted October 2006) relevant to this application includes the following:
* Building frontage should not exceed 80% of the plot.
* Buildings (including all outbuildings) should not cover more than 15% of the plotarea.
* Construction in front of existing building lines is unacceptable.
  + 1. The existing front building line width is 76%. The proposed extensions would not result in any increase. The plot coverage is currently 19%. The proposed development would result in a plot coverage of 21%, which would exceed the 15% guideline.
    2. It is recognised that the proposed extensions would result in a plot coverage of 21% and the concerns of Moor Park (1958) Ltd in this regard are noted. However, in considering the application, the site situation needs to be considered alongside policies and constraints, rather than arbitrarily applying policy. The increased plot coverage is predominantly as a result of the proposed two storey rear extension and first floor rear extensions which are proposed within the centre of the dwelling and subsequently set in from the shared boundaries which would significantly limit views of the extensions from the street scene of Bedford Road. The extensions would be set below the ridge level to the frontage which would further reduce their prominence. It is further noted that the extensions would be over the existing raised patio area.
    3. The proposed development would not result in the loss of, for example, soft landscaping and there would actually be a reduction in hard surfacing to the rear garden of the application dwelling.
    4. The proposal would also result in the reduction in height of the existing single storey part of the dwelling that extends for a significant depth of 19.7m to the rear. This element would be reduced from 5.4m to 4.5m in height, with the reduction in height increasing the perception of openness across the rear of the site.
    5. Therefore, whilst it is acknowledged that the extended dwelling further exceeds the 15% guidance in relation to plot coverage, it is not considered that the centrally located rear extensions would have a significant impact on the openness of the Conservation Area. The reduction in height of the rear projection would increase the perception of openness.
    6. However, while it is not considered that the plot coverage resulting from the proposed extensions would have a significant adverse impact on the Conservation Area, any additional development resulting in further increases in plot coverage may lead to a reduction in the openness of the area. It is therefore considered appropriate to include a condition on any consent removing permitted development rights for outbuildings, hardstanding and further extensions to ensure that the impact of any such development may be assessed.  In addition, a condition would require the reduction in the height of the pool building as shown on the submitted plans.
    7. The two storey front extension would not project deeper than the existing building line, although it is noted that the pillars supporting the extension would project deeper than the existing building line.
    8. Whilst it is acknowledged that the front extension with pillars would be visible within the Conservation Area, amended plans have been received during the application process to reduce the width of the pillars and to reduce the height of the gable projection, setting the extension further below the existing ridge line than the existing gable projection, while the large circular window has been omitted from the proposed drawings. Whilst as acknowledged from comments from Moor Park 1958 and the Conservation Officer, that the projecting front elevation would not accord with the general arts and crafts style of dwellings and would alter the character of the existing dwelling, the proposed front extension with pillars and gable roof would not appear significantly out character within the immediate street scene when considering the design features of the adjacent dwellings at No.27 and No.31 Bedford Road. The proposed front extension and associated changes would subsequently conform with the variety of design and mixed character within Bedford Road.
    9. The proposed increase in ridge height would occur to the lower ridge heights on both sides of the small apex of the existing roof and would not result in an overall increase in the maximum height of the roof. The dwelling would therefore conform with the ridge levels as existing, being higher than No.27 and set down in height from No.29. Whilst it is acknowledged that the roof of the dwelling would generally increase, the increase would not cause significant harm to the street scene character nor would it be significantly prominent within the Conservation Area.
    10. It is noted that the flanks of the main dwelling would be increased in scale by virtue of the proposed extensions which would be visible within the street scene. Whilst it is acknowledged that the scale of the two storey building would be increased, when considering the overall footprint change and other dwellings of similar size within the immediate street, it is not considered that the alterations would be detrimental to the character of the Conservation Area and street scene.
    11. The alterations proposed to the exterior and fenestration to the main dwelling as part of this proposal would be visible within the Conservation Area and wider street scene. Whilst it is acknowledged that the character of the existing dwelling would be altered, the immediate street scene is varied, with a number of bricked buildings evident, most notably at No.31 Bedford Road. Therefore the proposed alterations to the appearance of the application dwelling would not be significantly out of character within the Conservation Area.
    12. It is noted that fenestration alterations proposed would add detailing within new window frames. The window alterations would not significantly impact the character of the dwelling when considering the existing windows are of UPVC exterior and are of no special architectural value given the age of the dwelling. Therefore whilst it is acknowledged that the window alterations would be visible within the street scene they would not cause significant harm to the character of the dwelling and street scene.
    13. The first floor rear balconies would be set in from the flank wall of the dwelling and would not extend significantly beyond the rear wall of the dwelling. View of the terraces would therefore be extremely limited. While it would be unusual, given these limited views of the terrace from the street scene and wider Conservation Area, there would not be significant harm justifying refusal of permission. In addition to this, the dwelling as existing has a balcony area that is screened by a flank wall, the proposed balconies would be screened as per existing and would subsequently not look out of character in context with the existing dwelling.
    14. It is acknowledged that the Conservation Officer is not of the opinion that the proposal overcomes previous concerns regarding development of the application dwelling. While this has been acknowledged, it is not considered that the extensions and alterations significantly impact on the openness of the Conservation Area for the reasons set out above.
    15. On balance, it is not considered that the proposed first floor and two storey rear extensions, two storey front gable projection extension to roof and alterations to front elevation and fenestration would be out of character or unduly prominent in the street scene. Furthermore, the proposal would not adversely affect the character or appearance of the host dwelling or Conservation area and would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.
  1. *Impact on Neighbouring Amenity*

**7.2.1** Policy CP12 of the Core Strategy states that development should ‘protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space’.

* + 1. With reference to policy DM1 of the Development Management Policies LDD, all applications for the residential development should satisfy the design criteria as set out in Appendix 2. The *Design Criteria* as set out within Appendix 2 of the Development Management Policies LDD state that extensions must not be excessively prominent in relation to adjacent properties and not result in loss of light to the windows of neighbouring properties nor allow overlooking.
    2. More specifically, the guidance provided within Appendix 2 states that single storey rear extensions should generally have a maximum depth of 4m on a detached dwelling with this distance reduced if the extension would adversely affect adjoining properties or be unduly prominent. The proposed rear extension would have a maximum depth of 6m from the original real elevation of the dwelling, before extending 3.6m from the deepest part of the building and would not comply with this guidance.
    3. The proposed extension would have a larger depth along the south flank to the rear of the dwelling, while this is noted, the extension would not project deeper than the adjacent neighbour at No.31. The extension would be of similar appearance to the opposing single storey element of this neighbour, would be set off the flank boundary by approximately 2.5m and set off the flank of this dwelling by approximately 6.8m. When considering this spacing it is not considered that the proposed single storey extension would be prominent or overbearing nor would it cause a loss of light to the windows of this neighbour.
    4. When considering the spacing between the single storey extensions to the rear and No.27 to the north, it is not considered that the extensions would have a detrimental impact on this dwelling. Although, a flat roof element would be attached to the existing single storey projection to match the opposing roof upon the single storey extensions. While this is noted, the single storey element would be primarily screened by the existing swimming pool, therefore having little impact on this dwelling, while the roof of the existing swimming pool would be reduced in height by approximately 1m.
    5. Appendix 2 of the Development Management Policies LDD states that two storey rear extensions should not intrude into 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. However, this principle is dependent on the spacing and relative positions of the dwellings and consideration will also be given to the juxtaposition of properties, land levels and extensions on neighbouring properties.
    6. The proposed two storey and first floor rear extensions given their set back positions from either flank would not intrude the 45 degree angle from the point on the boundary and from the rear building line of either adjacent property. The proposed extensions would not project deeper than both adjacent neighbours and when considering this and the separation distance from both boundaries, the proposed extensions would not appear prominent nor would they cause a loss of light to the windows of either dwelling.
    7. The guidance outlined with Appendix 2 states that applications for front extensions should not result in loss of light to windows of a neighbouring property nor be excessively prominent in the streetscene. The two storey front extension proposed would have a maximum depth of 1.8m. The application dwelling is set forward of No.27 Bedford Road to the north, the extension would be set approximately 3.6m forward of this dwelling. While this is noted, the extension is to the centre of the dwelling and would be set off the shared boundary with this neighbour by 9.4m. It is not considered that the extension would be excessively prominent to this neighbour nor would it cause a loss of light. The application dwelling is set back from No.31 Bedford Road and the proposed extension would not extend deeper than the front elevation of this dwelling. When considering the set back position of the extension to this neighbour the extension would not appear overbearing or cause a loss of light to the windows of this neighbour.
    8. The extensions to the roof would result in an increase in upper massing, however, the increase in ridge height would not extend beyond the maximum height of the dwelling and would therefore not appear prominent to either adjacent neighbour nor would the alterations cause a loss of light to the windows of either neighbour given the spacious plot sizes and distance to boundaries.
    9. Appendix 2 of the Development Management Policies Document states that development should not incorporate balconies, or first floor conservatories which overlook neighbouring properties to any degree. The proposed rear balconies at first floor level would be set in from the flank wall by 1m and would be set down from the eaves of the dwelling. The balconies would be enclosed by brick walls, therefore screening views towards adjacent neighbouring dwellings to the flank. A condition would be placed upon any planning permission to protect the privacy of neighbouring amenity by ensuring the screening is implemented and maintained in accordance with the submitted drawing.
    10. As a result, subject to conditions, the proposal complies with the *Design Criteria* as set out within Policy DM1 and Appendix 2 of the Development Management Policies LDD.

**7.3** *Landscaping Issues*

**7.3.1** Policy DM6 of the Development Management Policies LDD (adopted July 2013) 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.

**7.3.2** All trees situated within and neighbouring the above site are currently afforded protection by the Moor Park Conservation Area. The Landscape Officer has commented on this application and states that it is considered appropriate to add a condition to identify and protect trees and hedging during works on site, and to ensure there is no detrimental impact on the visual amenity of trees and the area. While no felling or loping has been requested, this would not meet the tests for conditions specified in National Policy and guidance.

* 1. *Parking and Amenity Space*

**7.4.1** Core Strategy Policy CP10 sets out that development should make sufficient provision for car and other vehicle parking. DM13 of the Development Management Policies Document states development should make provision for parking in accordance with the parking standards set out in Appendix 5.

**7.4.2** Parking Standards state that a four or more bedroom dwelling should have a total of three parking spaces. One additional bedroom is proposed. The carriage driveway however provides ample parking. It is therefore considered that there will be adequate parking space for present and future occupiers.

* + 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 Appendix 2 of the Development Management Policies Document states that ‘amenity space must be provided within the curtilage of all new residential developments’, and advises that a six bedroom dwelling should have 147sqm.
    2. The application site would have a rear amenity space of approximately 1170 square metres following the implementation of the proposed extensions. It is therefore considered that there will be adequate amenity space in accordance with Appendix 2.

**7.5** *Biodiversity Checklist*

**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. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.

**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. A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected as a result of the application. The site is not in or located adjacent to a designated wildlife site. The Local Planning Authority is not aware of any records of protected species within the immediate area that would necessitate further surveying work being undertaken and given the nature of the proposed development there would not be any adverse impacts on biodiversity.

* + 1. However, given that the works would affect the existing dwelling roofspace, an informative on any consent would advise the applicant of what to do should bats be discovered during the course of development.

**8. Recommendation**

**8.1** That PLANNING PERMISSION BE GRANTEDsubject 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: 5447-SURVEY, 5447/PL/LP, 5447-PL001 Rev G, 5447-PL002 Rev F, 5447-PL003 Rev H, 5447-PL004 Rev G, 5447-PL005 Rev D, TS16-450L/1, TS16-450L/6.

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 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) and the Moor Park Conservation Area Appraisal (2006).

C3 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).

C4 Prior to occupation of the development hereby permitted, the flank walls providing screening to the proposed balcony areas at first floor levels as shown on 5447-PL003 Rev H and 5447-PL004 Rev G shall be erected in accordance with the approved details, and shall be maintained as such thereafter.

Reason: To safeguard the amenities of the occupiers of neighbouring residential properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C5 Prior to occupation of the extensions hereby permitted, the proposed reduction in height of the single storey part of the dwelling as shown on Drawing 5447-PL003 Rev H and 5447-PL004 Rev G shall be implemented in accordance with the approved details, and shall be maintained as such thereafter.

Reason: To safeguard the character and appearance of the Conservation Area and the openness of the Conservation Area and in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Moor Park Conservation Area Appraisal (2006).

C6 Immediately following the implementation of this permission, 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 development within the following Classes of Schedule 2 of the Order shall take place.

Part 1

Class A - enlargement, improvement or other alteration to the dwelling

Class E - provision of any building or enclosure

No development of any of the above classes shall be constructed or placed on any part of the land subject of this permission.

Reason: To ensure adequate planning control over further development having regard to the limitations of the site and neighbouring properties and in the interests of the visual amenities of the site and the Moor Park Conservation Area, in accordance with 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 Moor Park Conservation Area Appraisal (2006).

* 1. 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. 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) - 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.

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.

I2 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.

I3 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.

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).