# PLANNING COMMITTEE – 22 MARCH 2018

# PART I – DELEGATED

# 5. 17/1712/FUL – Construction of part two storey rear extension with accommodation within the roof, part single storey rear extension, single storey side and rear extension, loft conversion including increase in ridge height, front and rear dormers and rooflights and raised platforms to front and rear at 143 THE DRIVE, RICKMANSWORTH, HERTS, WD3 4DJ for Mr and Mrs Steve Coggins

 **(DCES)**

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| Parish: Batchworth Community Council | Ward: Rickmansworth Town |
| Officer: Suzanne O’Brien Expiry Statutory Period: 24 August 2017 |
| Recommendation: That Planning Permission be Granted |
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| Reason for consideration by the Committee: Called-in by Three Planning Committee Members. |

 **Update**

The description has been amended to reflect the amended plans received.

Section 5 has been updated to include the neighbour comments received prior to the February Planning Committee meeting.

The table below sets out the differences between the current application and extant planning permission 16/2420/FUL:

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| --- | --- | --- |
|  | **16/2420/FUL**  | **17/1712/FUL**  |
| Maximum depth of single storey rear extension | 7.5m | 7.5m |
| Maximum depth of first floor rear extension | 3.8m | 3.8m |
| Single storey side and rear extension (maximum width/depth) | 6.9m/6m | 7.2m/12m  |
| Rear dormers (height/width/depth) | Two – 1.5m/1.3m/1.7m | Two – 1.5m /1.5m/1.7m |
| Front dormers (height/width/depth) | Three rooflights | Two – 1.5m/1.7m/1.7m |
| Rear balcony (height/width/depth) | 2.8m/11.9m/4.2m | 2.8m/11.9m/4.2m |
| Front and side balcony proposed | Yes | Yes |

# 1. Relevant Planning History

1.1 15/1302/FUL - Demolition of existing dwelling and erection of two detached dwellings including creation of new vehicular access and alterations to land levels including retaining walls - Withdrawn - 05.08.2015

1.2 15/1845/FUL - Demolition of existing dwelling and erection of two detached dwellings including creation of new vehicular access and alterations to land levels including retaining walls – Permitted - 11.11.2015 – Not implemented.

1.3 16/2420/FUL - Construction of part two storey rear extension with accommodation within the roof, part single storey rear extension, single storey side extension, loft conversion including rear dormers and front rooflights and raised platforms to front and rear – Permitted - 09.02.2017 – Not implemented.

2. **Detailed Description of Application Site**

2.1 The application site contains a detached dwelling located along The Drive. The land levels rise up from the front to the rear of the site, as such, the dwelling is set on higher ground to the highway. The land levels plateau to the rear of the property. The land levels also drop in a south to north direction. The dwelling is set in from both of the side boundaries and a detached garage is sited between the dwelling and southern boundary and projects beyond the rear elevation of the application dwelling. An area of hardstanding is sited to the front and along the southern side elevation of the dwelling. The site is enclosed by close boarded fencing and vegetation hedging. The front boundary treatment consists of vegetation screening.

2.2 The neighbouring property to the north (No.141) extends beyond the rear elevation of the application dwelling at two storey level. However, there are significant land level changes between the application site and neighbouring site, as such, No.141 is set on significantly lower ground. No.141 has a chalet style design along the front elevation with the first floor accommodation served by dormers. No.141 is constructed close to the common boundary.

2.3 The neighbouring property to the south (No.145) is set forward from the front elevation of the application dwelling and is constructed close to the common boundary. No.145 has a Chalet style appearance to the front with the first floor accommodation served by dormers and a two storey gable projection with a true two storey elevation to the rear.

3. **Detailed Description of Proposed Development**

3.1 This application seeks planning permission for the construction of part two storey rear extension with accommodation within the roof, part single storey rear extension, single storey side and rear extension, loft conversion including increase in ridge height, front and rear dormers, rooflights and raised platforms to front and rear.

3.2 The rear extension would have a depth of 4m including the covered walkway along the north west elevation and 7.5m along the south east elevation. The first floor level would have a depth of 3.5m; the central aspect would have a depth of 3.8m. The ground and first floor levels would have a width of 17.2m to be constructed in line with both of the flank elevations of the existing dwelling. The single storey aspect would have a flat roof with a height of 2.8m.

3.3 The loft conversion would include an extension to the roof comprising the inclusion of a rear gable feature and two dormers in the front and rear elevations and side rooflights. The ridge height would be increased by 0.3m and the pitched roof would be replaced with a crown roof that would have a depth of 3.5m to extend over the two storey rear extension and width of 11.8m. The rear gable feature would have a central position and would extend 3.9m beyond the rear roof slope. It would have a width of 6.5m and a height of 7.8m with a flat roof form. The dormers would have a width of 1.5m, height of 1.5m and depth of 1.7m.

3.4 The existing garage would be demolished and replaced with a single storey side and rear extension. The proposed side and rear extension would attach to the proposed ground floor rear extension and would extend a maximum of 7.2m beyond the south east elevation of the dwelling. It would have a depth of 12m and would extend 7.4m beyond the rear elevation of the covered walkway and 11.6m beyond the rear most point of the existing dwelling. It would have a flat roof with a height of 2.8m and would be constructed close to the common boundary. The plans detail that the proposed side extension would be set in 0.5m from the flank boundary at all points.

3.5 The development would also include the construction of balconies to the front, side and rear. The raised walk way sited to the front and side of the dwelling would extend 2.6m beyond the front elevation of the dwelling and 1.5m beyond the north west elevation. The structure would be supported by brick piers and would have a height of 2m above the lower land level. The balcony to the rear would have a width of 11.9m and would extend 4.2m beyond the rear elevation of the proposed first floor elevation. The roof of the single storey extension would form the base of the balcony and would provide a level access with the raised rear amenity space provision.

3.6 The front porch would have a depth of 1.2m, width of 4.6m and height of 2.9m with a flat roof.

3.7 Amended plans have been received which include the following amendments:

* Removal of the first floor level of the previously proposed two storey side extension.

4. **Consultation**

4.1 National Grid: No comments received.

4.2 Batchworth Community Council: No comments received.

4.3 Landscape Officer

4.3.1 Summary: No objection.

4.3.2 *I have no objections as there are no arboricultural constraints.*

4.3.3Following further clarification from the Landscape Officer in relation to whether the proposal would have an adverse impact on any of the nearby trees in response the Landscape Officer made the following comments:

 *Just to confirm, I attended and gained access to the site this morning. My comments are the same as previously stated for the application.*

 *The adjacent trees are all low grade, past topped, and outside the root protection areas.*

5. **Neighbour Consultation**

5.1.1 Site/Press Notice:

* Site notice posted 14 September 2017 and expired 5 October 2017.
* Press notice – Not applicable.

5.1.2 Neighbours consulted: 6

5.1.3 Number of responses: 5

5.1.4 Summary of responses:

* The formal description was registered incorrectly and renders application invalid and would allow for judicial review if granted permission;
* Question the quality and accuracy of the application;
* Applicant carried out severe trimming of trees and bushes along the shared boundary in an attempt to demonstrate that no works to trees would be required;
* Pruning would be required to facilitate large delivery vehicles;
* The Biodiversity survey does not include a survey of the boundary and Oak tree;
* Historic and visible trees in the neighbouring property have been omitted from the plans and the proximity of the development from the boundary will cause damage to these trees;
* The development would overhang the boundary and neighbour has not been served notice to this effect;
* Two storey side extension would be against policy and would result in a terracing effect;
* Large garage would be an intrusion within the street scene;
* The front dormers would be out of character and would set a precedent;
* Development would be imposing on neighbouring property and result in overshadowing;
* Overlooking from elevated terrace and three storey rear façade;
* Loss of light to neighbouring landscaping;
* Overdevelopment and lack of appreciation for character of the area;
* The white rendered flank façade would require regular maintenance;
* Applicant did not speak to neighbour and no Party Wall agreement has been sought;
* Application forms are incorrect;
* The foundations for a two storey extension would cause death to four healthy trees and Landscape Officer could not make a judgement without plans indicating the trees;
* The proposed increase in ridge height would emphasise the land level changes between the application site and neighbouring property to the front;
* The dormers to the front would result in overlooking of the neighbouring properties.
* Increase in ridge height would result in increased domination;

The increase in bulk and inclusion of third storey dormer windows would be detrimental to the character of the area and out of keeping with the existing houses in The Drive.

Officer comments: Certain elements of the proposed development were originally missed from the description however; the description has been correctly revised and is considered to accurately reflect the development proposed. Neighbours have been re-notified and allowed the statutory 21 days to respond. As such, the LPA consider that the neighbours have been correctly notified in relation to the proposed development.

6. **Reason for Delay**

6.1 Re-consultation requirements.

7. **Relevant Local Planning Policies:**

7.1 National Planning Policy Framework (NPPF)

7.1.1 On 27 March 2012, the framework of government guidance in the form of Planning Policy Statements and Planning Policy Guidance Notes was replaced by the National Planning Policy Framework (NPPF). The adopted policies of Three Rivers District Council reflect the content of the NPPF.

7.2 The Three Rivers Local Plan Core Strategy:

7.2.1 The Core Strategy was adopted by the Council on 17 October 2011. Relevant Policies include: CP1, CP9, CP10 and CP12.

7.3 Development Management Policies LDD:

7.3.1 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, DM6 and DM13 and Appendices 2 and 5.

7.4 Other

7.4.1 The following Acts and legislation are also relevant: The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 Habitat Regulations 1994, the Localism Act 2011 and the Growth and Infrastructure Act 2013.

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

8. **Analysis**

8.1 Character / Street Scene / Conservation Area

8.1.1 Policy CP12 of the Core Strategy (adopted October 2011) relates to the Design of Development and states that the Council will expect all development proposals to have regard to the local context and conserve or enhance the character, amenities and quality of an area.

8.1.2 Policy DM1 and Appendix 2 of the Development Management Policies LDD (DMP LDD) (adopted July 2013) set out that development should not have a significant impact on the visual amenities of the area. Extensions should not be excessively prominent and should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials. In relation to roof forms, the Design Criteria advises that increases to ridge height will be assessed on their own merits at the time of an application and that where roof forms are of a uniform style/height and appearance, it is unlikely that an increase in ridge height will be supported by the Council.

8.1.3 The land levels of the site rise up significantly to the rear. The proposed single storey extension would be deep however the flat roof of the extension would have a similar land level to the rear amenity space provision thus would not be readily apparent. The views of the rear aspect of the ground floor rear extension would also be limited. As such, the proposed ground floor rear extension would not result in a prominent or harmful addition. There would be oblique views of the first floor extension from along The Drive. The Drive is predominantly characterised by large detached dwellings. The overall scale of the ground and first floor extensions would not appear excessive relative to the existing building or built form along The Drive. As such, the proposed depth of the two storey rear extension would not appear disproportionate or intrusive within the street scene.

8.1.4 The proposed development would include the creation of a crown roof; the Design Criteria of the DMP LDD stipulates that crown roofs are generally discouraged and more traditional pitched roofs are generally favoured. There would be oblique views of the flank elevation of the dwelling thus the crown roof would be visible from public vantage points and it would add bulk and massing to the existing structure. However, The Drive is architecturally varied where the buildings vary greatly in design and scale. The proposed depth of the flat roof would not be excessive and would not result in a unduly bulky or prominent feature within the street scene. As the street scene is varied the proposed design and scale of the roof extension would also not result in a dominant or contrived feature. Furthermore a crown roof of a similar width and depth was granted under extant planning permission 16/2420/FUL.

8.1.5 The proposal would also include the extension of the roof including the insertion of dormers, a second floor rear extension and increase in ridge height. In relation to dormers the Design Criteria stipulates that dormers should always be subordinate to the main roof. They should be set below the existing ridge level, set in from either end of the roof and set back from the plane of the front or rear wall. The roof form should respect the character of the house if possible. In relation to front dormers the Design Criteria states ‘Front dormers may not always be appropriate in the street scene’. The rear dormers would be set in from the flank roof slope and would not be excessive in depth thus would not result in a prominent feature where viewed from public vantage points. The proposed front dormers would have a crown roof form however would be set in from the flank roof slopes, set back from the front elevation and set down slightly from the ridge. The proposed dormers would not be significant in number and would not dominate the proposed roofspace. Furthermore, there are examples of front dormers within the street scene including No.143 and No.145 however these serve first floor accommodation. No.152 The Drive on the opposite side of the highway and to the north west of the application site consists of a two storey dwelling with front dormers serving loft accommodation; these dormers are visible from The Drive. Although the application is assessed on its individual merits it is noted that the street scene is varied. The dwelling sits at an elevated position to the highway and the dormers would be visible however it is not considered that the dormers would appear incongruous or out of character.

8.1.6 The increase in ridge height would not be significant and as the existing dwelling already sits higher than No.141 the proposed height of the development would not disrupt the topography of the street scene. Furthermore, due to the separation between the highest point of the proposed development and neighbouring properties the proposed increase in height and bulk of the proposed roof form would not appear excessive or unduly prominent as viewed from public vantage points along The Drive relative to the neighbouring properties.

8.1.7 The proposed development would also include a flat roof gabled rear projection at second floor level. The proposal would therefore result in an increase in built form within the roof space. This aspect would be set in from both of the flank elevations of the dwelling which would serve to reduce its apparent bulk and massing where viewed from public vantage points.

8.1.8 There is an existing detached garage sited close to the flank boundary to the south east of the dwelling. This garage would be demolished and replaced with a flat roof side extension of a greater width. Considering that there is existing built form sited between the dwelling and flank boundary the proposed development would not result in a cramped feature within the street scene and would not appear excessive in width relative to the main dwelling or impact on the character of the street scene. The proposed side extension would also be set back from the front elevation of the dwelling which would serve to reduce its prominence as viewed from public vantage points. The neighbour raised concerns that the application form infers that the site is not visible from the street; this relates to access regarding the carrying out of a site visit and advising that access maybe required. The site and existing garage are visible from The Drive and although there is existing vegetation along the frontage of the site this cannot be relied upon to act as a screen and the application is assessed on this basis. Thus, the assessment of harm in relation to impact on the proposed development takes into consideration that the frontage of the building is visible from public vantage points in its entirety. Following the amendments to the plans the proposed side extension would be single storey level only and would not result in a terracing effect or cramped feature within the street scene.

8.1.9 The proposed front raised terrace and walkway would project forward of the existing front elevation of the dwelling. However, the land levels to the south east of the site rise up significantly relative to the level to the north west. The proposed front projection would be sited adjacent to the existing raised levels and would not appear unduly prominent where visible from public vantage points. Furthermore, No.145 sits forward of the front elevation of the application dwelling thus the proposed development to the front of the dwelling would not disrupt the established building line. The proposed rear balcony would be set in from the flank elevations of the dwelling and would not result in a noticeable feature within the street scene.

8.1.10 The front extension would not be excessive in scale and would sit centrally along the front elevation of the dwelling. The proposed front extension would not disrupt the established building line along this part of the street scene and would not result in a prominent feature.

8.1.11 The planning history of the site is a material consideration in the assessment of any subsequent applications. The alterations to the front (with the exception of the front dormers and increase in ridge height), single and two storey rear extension and balcony are of the same depth and design as that of extant permission 16/2420/FUL. The main aspects of the scheme that differ from the extant permission include the 0.3m increase in height of the dwelling, front dormers, 0.3m increase in width of the single storey side and rear extension and increase in depth of the side and rear extension.

8.1.12 As such, the proposed development would not result in an unduly prominent or harmful form of development within the street scene. The proposed development would not result in overdevelopment of the site and would maintain the spacious character of The Drive. The proposed development would therefore be in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the DMP LDD.

8.2 Residential Amenity

8.2.1 Policy CP12 of the Core Strategy advises that development will be expected to protect residential amenity. Appendix 2 of the DMP LDD comments that all developments are expected to maintain acceptable standards of privacy for both new and existing residential buildings and development should not result in loss of light to the windows of neighbouring properties nor allow overlooking.

8.2.2 The Design Criteria stipulates that single storey rear extensions for detached dwellings should have a maximum depth of 4m and two storey rear extensions should not intrude into a 45 degree splay line drawn across the rear garden at a point on the joint boundary, level with the rear wall of the adjacent property.

8.2.3 The proposed single storey rear extension would have a minimum depth 4m and maximum depth of 7.5m; the south eastern aspect of the proposed extension would exceed the 4m maximum depth for detached dwellings as set out in the Design Criteria of the DMP LDD and would extend beyond the rear elevation of both of the neighbouring properties. No.145 is set forward of the front elevation of the application dwelling, thus, the entire depth of the two storey rear extension would intrude the 45 degree splay line taken from the rear elevation of No.145 at a point on the joint boundary. No.141 extends beyond the rear elevation of the application dwelling, thus the first floor aspect of the two storey extension would not intrude the 45 degree splay line taken from the rear elevation of this neighbouring property at a point on the joint boundary. The two storey rear extension would be set in over 6m from both of the flank boundaries which is a significant distance and would prevent the proposal from resulting in any loss of light or harm to the visual amenities of the neighbouring properties. The scale of the two storey rear extension due to its siting would also not result in a dominant or oppressive feature on No’s 141 or 145.

8.2.4 The proposed single storey side and rear extension would be constructed along the flank boundary with No.145. Due to the forward siting of No.145 relative to the application dwelling the proposed extension would extend a significant distance beyond the rear elevation of the neighbouring dwelling and would exceed the 4m guideline for extensions as set out in the Design Criteria. However, the rear elevation of No.145 angles away from the common boundary and as the land levels of the site rise up to the rear the proposed side and rear extension would not be appear excessive in height relative to this neighbouring property. As such, due to the orientation of the dwelling of No.145 the proposed single storey side and rear extension would not result in any unacceptable loss of light or harm to the visual amenities of this neighbouring property. The size and scale of the proposed side and rear extension would not result in a dominant or oppressive feature on the neighbouring garden. Due to the position of the side and rear extension to the south east of the site it would not result in any harm to the residential amenities of No.141.

8.2.5 The proposal would include the construction of a balcony along the front and north west elevations and to the rear. In relation to balconies the Design criteria of the DMP LDD states ‘Development should not incorporate balconies, or first floor conservatories which overlook neighbouring properties to any degree’. The proposed raised aspect to the front and side of the dwelling would be sited along the flank elevation of No.141 and would provide a level access to the raised land levels to the side and rear of the dwelling. Thus, the proposed raised platform to the front and side would be no higher than the existing land levels sited along part of the north west elevation of the dwelling. It would also run along the flank elevation of No.141. As such, due to its siting and relationship with No.141 the proposed raised platform to the front and side of the dwelling would not result in any unacceptable overlooking of the neighbouring properties including No.141.

8.2.6 The proposed balcony to the rear would be sited over the proposed ground floor rear extension. The balcony is proposed to allow a level access from the first floor level to the rising natural land levels to the rear. The proposed height of the balcony would therefore not exceed that of the highest part of the site. The proposed balcony would also be set in 2.6m from both of the flank elevations of the existing dwelling and would be sited approximately 9m from the flank boundary with No.145 which is on a similar land level to the application dwelling and over 10m from the boundary with No.141 which is set on significantly lower land levels to the application dwelling. Taking into consideration the land level changes of the site and the set in a nature of the proposed balcony it would not result in any unacceptable levels of overlooking into the neighbouring properties than in comparison to the existing raised natural land levels of the site. Thus, on balance the proposed rear balcony would be considered acceptable. The plans detail that the balcony would be enclosed by glass balustrading. Any planning permission would include a condition that the only part of the roof of the extension to be used as a balcony is that indicated on the approved plans.

8.2.7 The development would include additional windows at ground and first floor level in the flank elevations. The proposed ground floor windows within the flank elevations would not result in any unacceptable overlooking subject to a condition that fencing be constructed along the flank boundary with No.145 following the removal of the hedging along this boundary. Details of the boundary treatment would be required to be submitted. The first floor window in the north west elevation would be sited closer to the front of the dwelling and would face the flank elevation of the neighbouring dwelling. Two windows would be inserted within the south east elevation at first floor level. As the dwelling is set back from the front elevation of No.145 these windows would face the garden of the neighbouring property. The windows would serve habitable rooms however they would be secondary windows. As such, they would be conditioned to be obscure glazed and top level opening only to prevent overlooking into the private garden of No.145. Due to the set in nature of the dwelling from the flank boundaries the fenestration to be inserted within the rear elevation of the development, including the second floor accommodation, would not result in any unacceptable actual or perceived overlooking of the neighbouring properties. The flank rooflight in the south east elevation would be conditioned to have a cill height of 1.7m above the internal floor level to prevent overlooking. The proposed fenestration to the front would not result in overlooking of the surrounding neighbouring properties.

8.2.8 The proposed development would include dormers within the front roofslope. The dwelling fronts The Drive. The dwelling is set on higher ground to the highway and the neighbouring properties on the opposite side of The Drive are set on lower ground. In relation to overlooking the Design Criteria of the Development Management Policies document stipulates that as an indicative figure 28 metres should be achieved between the faces of single or two storey buildings backing onto each other or in other circumstances where privacy needs to be achieved. The Design Criteria further states that distances should be greater between buildings in excess of two storeys. A distance of approximately 50m is achieved between the front elevation of the application dwelling and No.154 at its closest point. It should also be noted that the front elevations do not directly face each other. Taking into consideration the separation between the properties and orientation of the buildings the proposed front dormers would not result in any unacceptable overlooking into the neighbouring dwellings to the front. Furthermore, the proposed increase in ridge height would not result in a dominant or oppressive feature.

8.2.9 The proposed development would not result in any harm to the residential amenities of any of the other surrounding neighbouring properties.

8.2.10 The development would therefore not result in significant harm to the residential amenities of neighbouring properties and the development would be acceptable in this regard in accordance with Policy CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the DMP LDD.

8.3 Amenity Space

8.3.1 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 DMP LDD indicates that a four bedroom dwelling should be served by 105sq.m of amenity space.

8.3.2 There is sufficient amenity space provision to accommodate the proposed extensions and serve the dwellinghouse.

8.4 Trees

8.4.1 Policy DM6 of the DMP 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. In relation to the retention of protected trees Policy DM6 ‘Biodiversity, Trees, Woodlands, Watercourses and Landscaping’ states:

 ‘ii) Development proposals on sites which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible, particularly those of local amenity or nature conservation value or hedgerows considered to meet the criteria of the Hedgerow Regulations 1997.

 Iv) Development should be designed in such a way as to allow trees and hedgerows and woodlands will be safeguarded and managed during and after development in accordance with the relevant British Standards.

v) Planning permission will be refused for any development resulting in the loss or deterioration to protected woodland, protected trees (including aged and veteran trees) and hedgerows unless conditions can be imposed to secure their protection.’

8.4.2 The NPPF details that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweighs the loss.

8.4.3 The Landscape Officer has commented on the proposed development and raised no objections. After concerns raised the Landscape Officer visited the site and still raised no objections to the proposed development. It is noted that the Landscape Officer commented that the proposal would not be sited within the RPA of any trees however the proposed development would be constructed within 0.5m of the boundary with No.145 which contains trees in close proximity to the common boundary. These trees are not protected and the proposal would not result in the loss or harm to any protected trees. As these trees are not protected and the Landscape Officer did not consider that the trees would warrant protection no objections are raised to the siting of the proposed development. Furthermore, the siting of the proposed side extension is similar to that approved under extant planning permission 16/2420/FUL. Notwithstanding this, as the proposal would be 0.3m closer to the flank boundary any planning permission would include conditions requiring the works to be carried out to ensure the future protection of the neighbouring trees. The neighbour has commented that a number of works to trees have been undertaken within the site. The site does not contain any protected trees as such the applicant would not need to seek permission to remove any trees. Furthermore, works to hedging would not require permission.

8.4.4 The Landscape Officer raised no objections to the alterations to the drive.

8.5 Parking

8.5.1 Policy DM13 of the DMP LDD requires development to make provision for parking in accordance with the parking standards set out at Appendix 5 of the same document. A dwelling with four or more bedrooms should be served by three parking spaces.

8.5.2 There is sufficient on-site parking provision to provide in excess of three cars which is sufficient to serve the proposed dwelling.

8.6 Wildlife & Biodiversity

8.6.1 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.

8.6.2 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 DMP LDD. 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.

8.6.3 Given that the development would involve works to the existing roof, an informative would be attached to any permission advising of the measures to be taken to prevent harm to bats and should bats be discovered. The neighbour has raised concerns that no surveys have been carried out in relation to the works to the vegetation. As evidenced on site the applicants have already carried out a number of works to the hedges and trees within the site, of which permission was not required. The proposed development is unlikely to have any greater impact than in comparison to the works which have been carried out on site.

9. **Recommendation**

9.1 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: 143THED-SPLP01 Rev 01, 143THED-EPE01 Rev 00, 143THED-PPE02 Rev 12, 15-041-TS-01.

 Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

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 No development or other operation shall commence on site until a scheme (herein called the Approved Method Statement of Arboricultural Works Scheme) which indicates the construction methods to be used in order to ensure the retention and protection of tree, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the Local Planning Authority.

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

The fencing or other works which are part of the approved scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site.

Reason: This condition is a pre commencement condition to ensure that the protected trees are not affected during construction of the development hereby permitted, in the interests of visual amenity and in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C5 Prior to occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected prior to occupation in accordance with the approved details and shall be permanently maintained as such thereafter.

Reason: To ensure that appropriate boundary treatments are proposed to safeguard the amenities of neighbouring properties and the character of the locality in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C6 Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

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

C7 Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the flank elevations or roof slopes of the extension/development hereby approved.

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

C8 Before the first occupation of the building/extension hereby permitted the first floor window(s) in the south elevation shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

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

C9 Before the first occupation of the building/extension hereby permitted the rooflight in the in the south roofslope shall be positioned at a minimum internal cill height of 1.7m above the internal floor level of the room in which it is installed. The rooflight(s) shall be permanently retained in that condition thereafter.

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

C10 The existing boundary treatments along the flank boundaries of the site, including the vegetation screens, shall be retained or if removed replaced by another boundary treatment of similar type, density and height for so long as the development remains in existence.

 Reason: In order to safeguard the amenities of the occupiers of neighbouring properties and 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).

C11 The extent of the use of the roof of the single storey rear extension, hereby permitted, as a balcony shall be in accordance with the balcony as shown on approved plan 143THED-PPE02 Rev 12. No other part of the flat roof of the extension shall be used as a balcony or for amenity purposes and shall not be accessed from the garden or development at any time.

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

9.2 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) - 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 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.

I3 Bats are protected under domestic and European legislation where, in summary, it is an offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in a roost or deliberately disturb a bat in a way that would impair its ability to survive, breed or rear young, hibernate or migrate, or significantly affect its local distribution or abundance; damage or destroy a bat roost; possess or advertise/sell/exchange a bat; and intentionally or recklessly obstruct access to a bat roost.

If bats are found all works must stop immediately and advice sought as to how to proceed from either of the following organisations:

The UK Bat Helpline: 0845 1300 228

Natural England: 0300 060 3900

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

or an appropriately qualified and experienced ecologist.

(As an alternative to proceeding with caution, the applicant may wish to commission an ecological consultant before works start to determine whether or not bats are present. A list of bat consultants can be obtained from Hertfordshire Ecology on 01992 555220).

I4 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.

I5 Due to the presence of National Grid apparatus in proximity to the application site, the Applicant should contact National Grid before any works are carried out to ensure National Grid apparatus is not affected by any of the proposed works. Further 'Essential Guidance' can be found on the National Grid website at www.nationalgrid.com or by contacting National Grid on 0800688588.