## **7. 18/0124/FUL – Erection of part single, part two storey front extension, single storey rear extension, alterations to fenestration, increase in ridge height including rear dormer windows and rooflights, creation of new crossover and gates at SON TROBAT, OVERSTREAM, RICKMANSWORTH, WD3 4LD for Mr and Mrs Taneja.**

|  |  |
| --- | --- |
| Parish: Chorleywood Parish Council | Ward: Chorleywood North and Sarratt |
| Expiry of Statutory Period: 14 March 2018 | Case Officer: Freya Clewley |

# Recommendation: That Planning Permission is granted.

# Reason for consideration by the Committee: Called in by three Planning Committee members.

# **1. Relevant Planning History**

## 1.1 W/443/65 – Outline Application: Erection of one dwellinghouse, land north-west of Tudor Cottage, Overstream, Loudwater, Rickmansworth – Permitted 12 April 1965

## W/896/71 – Erection of one dwelling and double garage in accordance with outline consent dated April 1965 – Permitted 16 June 1971

## 1.3 17/1850/FUL – Erection of part single, part two storey front extension, single storey rear extension, alterations to fenestration, increase in ridge height including rear dormer windows and rooflights and new crossovers – Withdrawn 3 October 2017

# **2. Description of Application Site**

## 2.1 The application site is approximately 807sqm in area and is located to the north east of Overstream, Loudwater. The application site comprises a corner plot at the junction between Troutstream Way and Overstream within the Loudwater Estate Conservation Area. Overstream is a cul-de-sac accessed via Troutstream Way containing a number of McNamara dwellings. The streetscene of Overstream is generally characterised by detached dwellings on relatively wide plots which vary in terms of architectural design.

## 2.2 The application dwelling is a two storey detached dwelling with a catslide aspect to the central front elevation and a single storey double garage projecting forward of the main front elevation adjoining the existing south eastern flank elevation. The application dwelling is a more modern addition to Overstream, built on land previously owned by the neighbour to the south east, Tudor Cottage in the 1970s.

## 2.3 To the frontage of the dwelling, there is hardstanding with space for two vehicles. The frontage is relatively open with mature hedging screening the north western aspect of the front elevation and the northern boundary. To the rear, there are no readily visible existing extensions or alterations; however, there is an existing chimney and a patio area abutting the rear elevation. Hedging and close boarded fencing enclose the rear amenity space provision.

## 2.4 The neighbour to the south east, Tudor Cottage, comprises a two storey detached dwelling with a catslide roof to the north west facing the application site and a pitched roof dormer inserted within the catslide roofslope. This neighbour is set in approximately 3.5m from the shared boundary with the application site and projects slightly deeper to the rear. The neighbour to the west, Dene Cottage, occupies a corner plot between Overstream and Troutstream Way and is located opposite the application site, separated by the highway. This neighbour is at a higher land level than the application site and the highway and is of a Chalet style design with dormer windows to the front and rear serving the first floor accommodation. Hedging along the front boundary screens this neighbour from the highway, however the access is open.

# **3. Description of Proposed Development**

## 3.1 This application seeks full planning permission for the construction of a part single, part two storey front extension, a single storey rear extension, alterations to fenestration, an increase in ridge height including rear dormer windows and rooflights and the creation of a new crossover and insertion of gates.

## 3.2 At ground floor level, the proposed front extension would extend 0.8m to the north west, in line with the existing main north western flank elevation, and it would project 2.1m forward of the existing north western aspect of the front elevation, in line with the front elevation of the existing garage. The central aspect of the front elevation would extend 2.5m forward of the existing porch, however it would remain set back 1.1m from the front elevation of the garage. At first floor level, the front extension would replace the existing catslide with a true first floor, extending 4m forward of the existing north western and south eastern flank elevations with a width of 15.5m, across the front elevation of the host dwelling.

## 3.3 The proposed development would include alterations to the roof of the existing garage. The existing flat roof would be replaced with a hipped roof form with a maximum height of 3.5m and a height to the eaves of 2.4m. The single storey front extension built in line with the north western flank would have a hipped roof form with a maximum height of 3.5m and a height to the eaves of 2.4m. The proposed porch would comprise an oak framed pitched roof structure with a pitched roof form, with a maximum height of 3.5m and a height to the eaves of 2.4m. The central aspect of the first floor extension would create a gable feature with a maximum height of 6.9m, sloping down to an eaves height of 5m. The proposed development would include an increase in ridge height by 1m, such that the maximum height of the dwelling would increase from 7.6m to 8.6m. The eaves height would remain the same at 5m.

## 3.4 The proposal includes alterations to the fenestration within the front elevation. At ground floor level, the existing double garage door would be replaced with a single garage door and a two-casement window and a three-casement window is proposed within the front elevation of the front extension built in line with the north western flank elevation. New timber double doors and side panels would be installed within the central aspect of the front elevation and a single-casement window is proposed beside the doors. At first floor level, two two-casement windows are proposed within the gable feature with a three-casement window either side and a further two-casement window to the south east of the front elevation. Two additional single-casement windows are proposed at first floor level within the south eastern elevation.

## 3.5 The proposed single storey rear extension would hold a depth of 3.3m, built in line with the existing south east flank elevation of the host dwelling. The extension would hold a width of 9.3m with a pitched roof form which would have a maximum height of 3.6m and a height to the eaves of 2.4m. Within the rear elevation of the proposed extension, at ground floor level, bifolding doors and a four-casement window would be inserted. A two-casement window is proposed at ground floor level within the south eastern flank of the extension and patio doors are proposed at ground floor level within the north western flank. Three rooflights are proposed within the roofslope of the rear extension to serve the ground floor.

## 3.6 The proposed development includes the insertion of two pitched roof dormer windows within the rear elevation, two rooflights within the rear roofslope of the main dwelling and two rooflights within the south eastern roofslope of the main dwelling. The proposed dormer windows would have a depth of 2.1m, a height of 2m and a width of 1.7m. The dormer windows would have a pitched roof form and each would have a two-casement window inserted within the rear elevation.

## 3.7 The proposal includes replacing the existing hardstanding to the frontage with a new permeable brick paved driveway. The proposal would also include extending the existing crossover by 1.6m. The proposed gates would be timber sliding gates of a traditional five bar design. The gates and fixed panels would have a width of 13.5m; however the existing hedge along the front boundary would be retained.

## 3.8 The proposed development would result in the creation of a seven bedroom dwelling (three additional bedrooms). The floor plans indicate that one room on the first floor would be used as a study, however, for the purposes of this planning application, it is considered that this room could be used in the future as a bedroom and is therefore included in the numbers above.

## 3.9 Amended plans were sought during the planning application process. The amended plans reduced the height of the gable feature to the frontage, reduced the level of glazing at first floor level within the front and north western flank elevations, removed the proposed balcony feature from the front elevation, reduced the size of the proposed dormers, removed the proposed rooflights within the north western flank elevation and redesigned the proposed porch structure from a flat roofed mock Georgian porch to a traditional timber pitched roof porch structure. The proposed gates were reduced in height and width, and the design was altered to a traditional five bar farm style gate. The proposed development originally proposed a reduction to the hedge along the front elevation, however, the amended plans indicate that the full width of the hedge would be retained as existing.

# **4. Consultation**

## **4.1 Statutory Consultation**

### 4.1.1 Chorleywood Parish Council: [Concerns]

*The Committee had concerns with this application on the following grounds:-*

* *The percentage increase of the original dwelling.*

### 4.1.2 Hertfordshire County Council – Highway Authority: [No objection]

*Notice is given under article 4 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.*

*HCC as a Highway Authority recommends inclusion of the following Advisory Note (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:*

*AN) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as to not emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements.aspx or by telephoning 0300 123 4047.*

*AN) Storage of Materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx by telephoning 0300 124 4047.*

*The application comprises of an extension to the existing property and the creation of a new vehicle crossover (VXO) and gates at Son Trobat, Overstream, Rickmansworth. Overstream is not a highway maintainable at public expense. The nearest highway maintainable at public expense is 250m away from the site on Chorleywood Road, which is designated as a classified ‘A’ main distributor road and subject to a speed limit of 40mph.*

*The proposed arrangements are shown on submitted drawing number PL/001 and include the provision of a new VXO across the verge, an extended driveway and the provision of double vehicular sliding gates. Although the proposed dwelling is accessed from a private road, HCC as Highway Authority would recommend that the new access is built to a standard that is in accordance with HCC’s Roads in Hertfordshire; A Design Guide and Dropped Kerb: Terms and Conditions. The proposed size and position of the access is considered to be acceptable in this respect.*

*HCC would normally recommend that the proposed gates are set back to a minimum of 5.5m from the edge of the carriageway of the access road to enable a vehicle to wait clear of the road whilst the gates are being opened and closed. However, following consideration of the status of the road and the nature of the location with a 4m wide verge, the proposals are acceptable.*

### 4.1.3 Herts and Middlesex Wildlife Trust: [No objection]

*The ecological survey is adequate and puts forward required compensation measures. If all other measures are acceptable, the following condition should be applied to the permission.*

*The suggested condition is adapted from the British Standard BS 42020 Biodiversity code of practise for planning and development.*

*Condition:*

*Any works that disturb identified bat roosting places identified in the bat survey (Cherryfield Ecology 10/2017) shall not in any circumstances commence unless the Local Planning Authority has been provided with a licence issued by [the relevant licensing body] pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified activity/development to go ahead.*

*Reason: To ensure compliance with the Conservation of Habitats and Species Regulations 2010 and to ensure biodiversity is conserved and enhanced in accordance with the NPPF.*

*The LPA should request answers to the 3 tests of the European Protected Species Mitigation License before making their decision. The LPA has a duty to show they have had regard to these tests in reaching their decision.*

### 4.1.4 Herts Ecology: [No objection]

*The Hertfordshire Environmental Records Centre does not have any habitat or species data for the site, which is a detached two storey dwelling with hipped roof design, and two small flat roof extensions.*

*A bat report, Preliminary Roost Assessment (by Cherryfield Ecology, November 2017), has been submitted in support of this application. A daytime bat survey was undertaken on 24 October 2017 and evidence of bats (droppings) was found amongst hanging tiles in three places on the front, side and rear elevations of the house.*

*The house is a confirmed roost for crevice-dwelling bat species (probably Pipistrelle bat species) and full roost characterisation surveys including three dusk emergence / dawn re-entrance surveys are recommended to establish species population and further entry/exit points.*

*The development proposals, which include significant modification to the house, roof and hanging tiles, will result in the loss of known bat roosts. However, suitable potential mitigation has been provided to safeguard bats and ensure their conservation status is maintained. With these outline mitigation measures in place, I consider the LPA has sufficient information to deal adequately with bats from a planning perspective, and can apply and satisfy the third test of the Conservation of Habitat and Species Regulations 2017 prior to determination.*

*It is acknowledged that a European Protected Species (EPS) licence will be required to proceed lawfully. I have no reason to believe that a licence will not be issued by Natural England.  
  
I advise the outstanding full roost characterisation surveys are secured by Condition of Approval and suggest the following wording:*

*“Prior to commencement of the development, three dusk emergence / dawn re-entry surveys should be undertaken during May to September, with at least two surveys between May and August, to establish species population and further entry/exit points, and modify the potential mitigation measures (ref: Preliminary Roost Assessment, Cherryfield Ecology, November 2017) as appropriate based on the results. The report should then be submitted to the Local Planning Authority for written approval.*

*Reason: To ensure the continued ecological functionality of bats and their roosts is maintained in accordance with European and national legislation.’*

### 4.1.5 Conservation Officer: [No objection]

*This house is of low significance in the Conservation Area. No objection subject to amendments as agreed with the planning officer.*

### 4.1.6 National Grid – No response received.

## **4.2 Public/Neighbour Consultation**

### 4.2.1 Number consulted: 5 No responses received: 1

### 4.2.2 Site Notice expired 21 February 2018 Press notice expired 16 February 2018

### 4.2.3 Summary of Responses:

* The roof height is proposed to be raised by at least a metre which will negatively impact on the view from all the front facing rooms of the house including the lounge, dining room and bedrooms.
* The existing height of the property is of a similar height to the adjacent Tudor Cottage. The proposed increase in height will be disproportionate to the adjacent and other properties in the vicinity.
* The inclusion of a new large glass double door on the front of the first floor and new ‘Juliet balcony’ above the front door will create an area which looks intrusively into the property.
* The new entrance gate is unnecessarily dominant and is well in excess of the maximum recommended height of 1 metre, as outlined in the Three Rivers Conservation Plan 2002.

Officer Comment: ‘*All material planning considerations are outlined in the relevant analysis sections below. The impact of the proposed development on the streetscene and neighbours is detailed within this analysis. Amended plans were sought during this planning application to remove the double doors and balcony at first floor level within the front elevation and to reduce the height and width of the proposed gates, retaining the existing hedging along the front elevation of the application site. Whilst the General Permitted Development Order 2015 (as amended) states that the maximum height of gates constructed adjacent to a highway used by vehicular traffic should not exceed 1 metre in height above ground level, full planning permission has been sought in this instance and the Highway Authority were consulted on this application’.*

# **5. Reason for Delay**

## 5.1 Committee Cycle.

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

## 6.1 National Planning Policy Framework and National Planning Practice Guidance

On 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) and the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

## 6.2 The Three Rivers Local Plan

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

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

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM3, DM6, DM8 and DM13 and Appendices 2 and 5.

## 6.3 Other

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

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

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

The Loudwater Estate Conservation Area Appraisal (adopted June 2013) is also relevant.

# **7. Planning Analysis**

## 7.1 Impact on Character, Street Scene and Conservation Area

7.1.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) 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'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.

7.1.2 Policy DM3 of the Development Management Policies document (adopted July 2013) states that within Conservation Areas, development will only be permitted if the proposal is of a design and scale that preserves or enhances the character or appearance of the area and the development would not harm important views into, out of or within the Conservation Area.

7.1.3 The Loudwater Estate Conservation Area Appraisal (adopted June 2013) states that the Conservation Area comprises an extensive area of low density properties in large individual plots within a sylvan, woodland setting. The Appraisal goes on to state that a prevailing feature of the Conservation Area is the existence of open boundary treatments with some comprising mature hedging and open driveways. Despite this, some gates are present and most are of a rural farm-like style, with wooden five-bar gates. More specifically, the Loudwater Estate Conservation Area Appraisal (adopted June 2013) describes Overstream as a cul-de-sac accessed via Troutstream Way containing a number of McNamara dwellings. It goes on to state; the streetscene of Overstream is generally characterised by detached dwellings on relatively wide plots which vary in terms of architectural design.

7.1.4 When assessing single storey rear extensions to detached dwellings, Appendix 2 of the Development Management Policies document states that generally, the maximum depth of such extensions should not exceed 4m. This distance may be reduced if the extension would adversely affect adjoining properties or is unduly prominent. The single storey rear extension would be built in line with the south eastern flank elevation and it would hold a maximum depth of 3.3m. Therefore, this element would comply with the guideline depth of 4m outlined within Appendix 2 of the Development Management Policies document. Given the siting of the proposed extension to the rear, that the proposed extension would be built in line with the existing south eastern flank elevation, the proposed depth, width and height of the extension and the pitched roof design, it is not considered that this element would result in any adverse impact on the character of the host dwelling, streetscene or Conservation Area.

7.1.5 At ground floor level, the proposed front extension would extend 0.8m to the north west, in line with the existing main north western flank elevation, and it would project 2.1m forward of the existing north western aspect of the front elevation, in line with the front elevation of the existing garage. The central aspect of the front elevation would extend 2.5m forward of the existing porch, however it would remain set back 1.1m from the front elevation of the garage. Although the proposal would extend 2.1m forward of the existing north western aspect of the front elevation, it would not project forward of the existing garage, thus it would not project forward of the established building line. At first floor level, the front extension would replace the existing catslide with a true first floor, extending 4m forward of the existing north western and south eastern flank elevations with a width of 15.5m, across the front elevation of the host dwelling. The proposed first floor would be set back 1.1m from the proposed ground floor front elevation. The dwelling is set back 5m from the highway and given the existing site circumstances and boundary treatment which would be retained as part of the proposed development; it is not considered that the proposed development would appear unduly prominent within the streetscene of Overstream. Whilst the proposed development would alter the appearance of the host dwelling, it is noted that there is variation within the streetscene of Overstream in relation to the architectural style and design of dwellings and external materials and finishes and as such, it is not considered that the front extensions would result in demonstrable harm to the character of the host dwelling, streetscene or Conservation Area.

7.1.6 The streetscene of Overstream is characterised by two storey detached dwellings and chalet style bungalows of a varying architectural design, thus there is variation in the roof styles and heights of the dwellings within the vicinity. Therefore, the proposed increase in ridge height is not considered uncharacteristic. The illustrative street scene indicates that the ridge would still be similar to the ridge of Tudor Cottage. As such, it is not considered that this element would result in any material harm to the visual amenities of the streetscene.

7.1.7 With regards to dormer windows, Appendix 2 of the Development Management Policies document states that dormer windows should always be subordinate to the main roof. They should be set below the 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. Multiple dormers should be proportionate in scale and number to the host roof. The proposed rear dormers would have a pitched roof form, reflecting the character of the host dwelling. They would be set back 2m from the rear wall and set down 0.8m from the ridge of the dwelling. The dormers would be evenly spaced within the rear roofslope, significantly set in from the flanks. Overall, it is considered that the two proposed rear dormers would be subordinate additions to the rear roofslope of the host dwelling, and given their siting, they would not be readily visible from the streetscene of Overstream, although some views may be visible from public vantage points. It is noted that the neighbour to the south east, Tudor Cottage, has an existing dormer within the flank roofslope facing the application site and as such it is not considered that the proposed dormer windows would result in any adverse impact on the character of the host dwelling, streetscene or Conservation Area.

7.1.8 The proposed development would include alterations to the fenestration and the addition of rooflights within the south eastern and rear roofslope of the main dwelling. Given the variation within the streetscene of Overstream and Troutstream Way in relation to fenestration, the scale and design of the proposed fenestration and the siting of the proposed rooflights, it is not considered that the proposed fenestration and rooflights would appear unduly prominent so as to result in demonstrable harm to the character of the host dwelling, streetscene or Conservation Area.

7.1.9 The proposal includes the extension of the existing crossover, the replacement of the existing hardstanding and the provision of gates to the frontage. The widths of crossovers within the vicinity vary, and given the scale of the proposed extension of the crossover, it is not considered that this element would result in any adverse impact on the character of the area. The proposed new permeable brick paved driveway would replace the existing paved driveway in situ, and there is variation within the vicinity regarding paving to the frontage. As such, it is not considered that this element would appear unduly prominent within the street scene of Overstream and it would also provide for the disposal of surface water from the drive. The proposed gates would be of a rural farm-like style with wooden five-bar sliding gates and fixed panels. The gates and fixed panels would have a maximum height of 1.4m. It is also noted that other dwellings within the vicinity have gated frontages such as Rustlings to the south east of the host dwelling. Given the proposed height, design and width of the gates, that there are gates of a similar style and design within the vicinity and that the existing hedge along the frontage would be retained, it is not considered that the proposed gates would appear unduly prominent within the streetscene of Overstream and as such, it is not considered that this element would cause demonstrable harm to the character of the host dwelling, streetscene or Conservation Area.

7.1.10 In summary, whilst the proposed development would increase the size and scale of the host dwelling, it is not considered that the proposal as amended would appear excessively prominent within the streetscene, or disproportionate in relation to the application dwelling or to other dwellings within the vicinity so as to result in unacceptable harm justifying the refusal of planning permission. The Conservation Officer was consulted on this application, and the amended plans submitted during the course of this application were discussed. No Conservation objection has been raised to the proposed development. As such, the proposed development would therefore accord with Policies DM1 and DM3 and Appendix 2 of the Development Management Policies document (adopted July 2013) and the Loudwater Estate Conservation Area Appraisal (adopted June 2013) in this regard.

## 7.2 Impact on Amenity of Neighbours

### 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’. Policy DM1 and Appendix 2 of the Development Management Policies document set out that residential development should not result in loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.

### 7.2.2 The single storey elements of the front extensions would be constructed to the north west of the host dwelling, as such it is not considered that this element would result in any adverse impact to the neighbour to the south east, Tudor Cottage. The first floor front extension which would be constructed in line with the south eastern flank would not project forward of the front elevation of this neighbour. Given the spacing between the host dwelling and the neighbour to the south east, that the proposed extension would be set in 2.5m from the shared boundary with this neighbour and that the proposed front extension would not project forward of the front elevation of this neighbour, it is not considered that the proposed front extensions would result in loss of light or appear overbearing to this neighbour.

### 7.2.3 The proposed single storey rear extension would be constructed in line with the south eastern flank elevation. Given the proposed depth and height of the rear extension, and that the proposed extension would be set in 2.5m from the shared boundary with the neighbour to the south east, Tudor Cottage, it is not considered that this element would result in any adverse impact to neighbouring amenity.

### 7.2.4 The neighbour to the west, Dene Cottage, is separated from the application site by the highway, and this neighbour is set back approximately 10m from the highway. Given the spacing between the application site and this neighbour, and that this neighbour is at a higher land level than the host dwelling, it is not considered that the proposed development would result in any adverse impact to the amenity of this neighbour.

### 7.2.5 The neighbouring dwellings to the north, The Bench House, and Cherry Cottage, are separated from the application site from the highway. Given the spacing and the relationship between the host dwelling and these neighbours, it is not considered that the proposed development would result in any adverse impact on the amenity of these neighbours.

### 7.2.6 The neighbour to the north east, Two Bridges, is located to the rear of the application site. The south western flank elevation of this neighbour faces the rear elevation of the host dwelling. It is not considered that the front extensions or the single storey rear extension would result in any adverse impact to the amenity of this neighbour. Whilst the proposed dormer windows and rooflights may enable some views of the amenity space of this neighbour, it is not considered that these views would be significantly different to the views already available from the first floor fenestration of the host dwelling so as to justify the refusal of planning permission in this respect.

### 7.2.7 Whilst additional glazing is proposed within the front elevation, given the removal of the balcony as originally proposed and the significant spacing between the host dwelling and the neighbours to the west, it is not considered that the fenestration within the front elevation would result in unacceptable overlooking to any neighbouring amenity. The two first floor windows within the south eastern elevation would serve a dressing room and a bathroom, and a condition would be attached to any granted consent to require these windows to be obscure glazed and top level opening such that they would not result in unacceptable overlooking to the neighbour to the south east, Tudor Cottage. The proposed rooflights within the south eastern flank elevation roofslope would be positioned 1.7m above internal floor level and as such, would not result in unacceptable overlooking to neighbouring amenity. Whilst two windows are proposed at first floor level within the north western flank elevation, these windows would replace the existing windows in situ, and given the spacing between the host dwelling and the neighbours to the north, it is not considered that the proposed windows would result in unacceptable overlooking to neighbouring amenity.

### 7.2.8 In summary, the proposed development would therefore be acceptable in terms of its impact on neighbouring properties, in accordance with Policy CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies document.

## 7.3 Amenity Space Provision for Future Occupants

### 7.3.1 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.

### 7.3.2 The proposed development would result in the creation of a seven bedroom dwelling (three additional bedrooms). Appendix 2 of the Development Management Policies document outlines that a seven bedroom dwelling should retain 168sqm of amenity space. The application dwelling would retain approximately 295sqm of amenity space and as such would comply with Appendix 2 in this regard.

## 7.4 Wildlife and Biodiversity

### 7.4.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive.

### 7.4.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application.

### 7.4.3 The application has been submitted with a Biodiversity Checklist and a Preliminary Roost Assessment by Cherryfield Ecology (November 2017). Hertfordshire Ecology were consulted on this application and the submitted report, and it is considered that the dwelling is a confirmed roost for crevice-dwelling bat species. Hertfordshire Ecology consider that suitable potential mitigation has been provided to safeguard bats and ensure their conservation status is maintained. With these outline mitigation measures in place, it is considered that the Local Planning Authority has sufficient information to deal adequately with bats from a planning perspective. However, given the nature of the host dwelling, a condition would be attached to any granted consent to require the full roost characterisation surveys to be undertaken and submitted to the Local Planning Authority prior to the commencement of the development. Subject to this condition, the proposal is acceptable in this regard.

## 7.5 Trees and Landscaping

### 7.5.1 Policy CP12 of the Core Strategy expects development proposals to ‘have regard to the character, amenities and quality of an area’, to ‘conserve and enhance natural and heritage assets’ and to ‘ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features’.

### 7.5.2 Amended plans were sought during the course of this application to retain the existing hedgerow which encloses the application site. Therefore, it is not considered that the proposed development would have any adverse impact on any significant or protected trees and the proposal is acceptable in this regard.

## 7.6 Highways, Access and Parking

### 7.6.1 Policy DM13 of the Development Management Policies document requires development to make provision for parking in accordance with the parking standards set out at Appendix 5 of the Development Management Policies document.

### 7.6.2 The proposed development would result in a seven bedroom dwelling. Appendix 5 of the Development Management Policies document sets out that a dwelling with four or more bedrooms should provide three onsite parking spaces. The application site would replace the existing hardstanding to the front, which provides parking for two vehicles. Whilst the proposal includes front extensions, the proposed extensions would not project forward of the existing garage, thus would not encroach on the existing hardstanding. The integral garage would be retained as part of the proposed development and would provide a further parking space. Therefore, the proposal would provide three onsite parking spaces and the development is acceptable in this regard.

### 7.6.3 With regards to the crossover extension, the Highway Authority were consulted on this application and raised no objection to the proposed development. Therefore, given that there would be no adverse impact on highway safety, the proposal is considered to be acceptable in this regard. The recommended informatives with regards to road deposits and storage of materials would be attached to any granted consent as an advisory note to the applicant. The proposed development also includes the replacement of the existing paved hardstanding to the frontage with a permeable surface. No objections have been raised by the Highway Authority in relation to this element of the proposed development.

# **8. Recommendation**

## 8.1 That PLANNING PERMISSION BE GRANTED subject to the following conditions

### C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

### Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

### C2 The development hereby permitted shall be carried out in accordance with the following approved plans: PL/001 Rev E, PL/002, PL/003, PL/004 Rev C, PL/005 Rev C and PL/006 Rev B.

### Reason: For the avoidance of doubt and in the proper interests of planning and to safeguard the character and appearance of the Conservation Area and the residential amenity of neighbouring occupiers, in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6, DM8, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Loudwater Estate Conservation Area (adopted June 2013).

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

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

### C4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the flank elevations 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).

### C5 Prior to commencement of the development, three dusk emergence / dawn re-entry surveys should be undertaken during May to September, with at least two surveys between May and August, to establish species population and further entry/exit points, and modify the potential mitigation measures (ref: Preliminary Roost Assessment, Cherryfield Ecology, November 2017) as appropriate based on the results. The report should then be submitted to the Local Planning Authority for written approval.

### Reason: This condition is a pre commencement condition to ensure to ensure that any protected species are safeguarded and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

### C6 Before the first occupation of the building/extension hereby permitted the windows at first floor level within the south eastern flank elevation; shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window shall be permanently retained in that condition thereafter.

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

### C7 The rooflights hereby permitted shall be positioned at a minimum internal cill height of 1.7m above the internal floor level.

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

### C8 The gates and fencing shall not be erected other than in the materials as have been approved in writing by the Local Planning Authority as shown on Drawing Number PL/006 Rev B; and no external materials shall be used other than those approved.

### Reason: To ensure a satisfactory appearance of the development and to maintain the character and appearance of the area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

### 8.2 Informatives

### I1 With regard to implementing this permission, the applicant is advised as follows:

### All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

### There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

### Community Infrastructure Levy (CIL) - 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 It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as to not emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements.aspx or by telephoning 0300 123 4047.

### I4 The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx by telephoning 0300 124 4047.

### I5 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.