**14. 17/2160/FUL – Demolition of existing conservatory, construction of a single storey rear extension and alterations to roof of existing rear extension at 1 GATE COTTAGES, OLD COMMON ROAD, CHORLEYWOOD, WD3 5LW for Mr Jeremy Worrall**

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| Parish: Chorleywood Parish Council | Ward: Chorleywood North and Sarratt |
| Expiry Statutory Period: 04.12.2017 | Officer: Tom Norris |
| Recommendation: That Planning Permission be Granted. |
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| Reason for consideration by the Committee: The application has been brought before the Planning Committee as the applicant is a Parish Councillor.  |

**1. Relevant Planning History**

* 1. 11/0466/FUL - Demolition of existing rear conservatory, construction of new single storey rear extension and alterations to existing low level rear pitched roof - 27.04.2011 – Permitted.
	2. 98/0485 - (Certificate of Lawfulness - Proposed) Erection of rear conservatory and covered access way - 25.08.1998.

**2. Detailed Description of Application Site**

2.1 The application site comprises a two-storey terraced dwelling on the western side of Old Common Road, Chorleywood. The dwelling has a painted render exterior finish and is located within the Chorleywood Common Conservation Area.

2.2 The application dwelling abuts the front boundary of the site and there is an area of hardstanding between the dwelling and the highway which is used for parking.

2.3 At the rear of the dwelling is an existing single storey rear extension abutting the northern side boundary with a mono pitched roof containing two rooflights sloping down towards the rear. Infilling the space between the extension and the southern side boundary is an existing conservatory with a mono pitched roof sloping down towards the southern boundary. The conservatory extends beyond the rear elevation of the rear extension abutting the southern site boundary however is set off the northern boundary by 0.3m. The total depth of the aforementioned existing additions to the rear of the property amounts to 8.7m.

2.4 Steps lead down from the rear elevation of the conservatory to a hardstanding patio area which itself steps down in levels towards the rear boundary. A large Horse Chestnut tree is located in the garden, adjacent to the northern side boundary. The boundary treatments consist of close boarded fences approx. 2m high.

2.5 The neighbour to the south, No.2 Gate Cottages, has an original rear building line level with that of the application dwelling. It has an existing two storey and single storey rear extension with a pitched roof.

2.6 The neighbour to the north is the Rose and Crown Public House and has a two storey rear extension set in from the boundary with the application site and a single storey rear extension abutting the boundary with the application site and extending further rear than the existing extensions of the application dwelling.

2.7 The street scene along this part of Old Common Road is characterised by terraced cottage style dwellings of similar size and design to that of the application dwelling. Opposite the application site is Chorleywood Common.

**3. Detailed Description of Proposed Development**

3.1 Full planning permission is sought for the demolition of the existing conservatory and the construction of a single storey rear extension in its place.

3.2 The conservatory is to be demolished in its entirety including the element which extends some 3.6m beyond the rear elevation of the rear extension with a width of 3.2m and the element which infills the space between the southern elevation of the rear extension and the southern site boundary which has a width of 1.2m.

3.3 The mono-pitched roof of the existing rear extension is proposed to be widened by 1.2m up to the southern site boundary infilling the space vacated by the conservatory. This would have a maximum height of 3.0m and be built in line with the roofline of the existing rear extension.

3.4 From the rear elevation of the existing rear extension, an extension measuring 3.5m in depth is proposed. The extension would have a pitched roof with an eaves height of 2.1m and a maximum overall height of 3.0m. The proposed rear extension in conjunction with the existing rear extension would measure some 8.0m in depth from the principal rear elevation of the dwelling. This would constitute a reduction of 0.7m in depth from what currently exists.

3.5 The alterations to the roof of the existing rear extension include the removal of one of the two rooflights from the roofslope.

3.6 The proposed rear extension would have a rooflight inserted into each side of the pitched roof and a set of bifold doors would be inserted in the rear elevation. No flank windows are proposed.

**4. Consultation**

4.1 Statutory Consultation

4.2 Chorleywood Parish Council: No objection

4.2.1 *“This application will be called in as the property is owned by a Parish Councillor”*

4.3 Conservation Officer: No objection

4.3.1 *“1 Gate Cottages is located within the Chorleywood Conservation Area (a designated heritage asset NPPF).*

 *NPPF 131. In determining planning applications, local planning authorities should take account of: 'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;' the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and ' the desirability of new development making a positive contribution to local character and distinctiveness.*

 *I would not object to this proposal as it will not be widely seen in the Conservation Area.”*

4.4 National Grid

4.4.1 No comments received.

**5. Neighbour Consultation**

* 1. Site Notice: Site notice posted 13 October 2017 and expired 3 November 2017.

 Press Notice: Published 20 October 2017 and expires 10 November 2017.

5.1.2 Neighbours consulted: 4

5.1.3 Number of responses: 0

5.1.4 Summary of Responses: Not applicable.

**6. Reason for Delay**

6.1 None.

**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, DM3, DM6 and DM13 and Appendices 2 and 5.

7.4 Chorleywood Common Conservation Area Appraisal (February 2010).

7.4.1 The Chorleywood Common Conservation Area Appraisal was adopted on 1 February 2010 as a material planning consideration in the determination of planning applications and as a basis for developing initiatives to preserve and/or enhance the Chorleywood Common Conservation Area. The Appraisal describes the special characteristics of Chorleywood Common Conservation Area as ‘the overwhelming character of the Chorleywood Common Conservation Area is rural, centring around an open common’.

7.5 Other

7.5.1 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.

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

**8. Analysis**

8.1 Character Design & Impact on Street Scene & Conservation Area

8.1.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness. Policy CP12 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' and 'conserve and enhance natural and heritage assets'. Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) seek to ensure that development does not lead to a gradual deterioration in the quality of the built environment. The Design Criteria states that single storey rear extensions to terraced dwellings should generally have a maximum depth of 3.6 metres. This distance may be reduced if the extension is unduly prominent.

8.1.2 The application site is located within Chorleywood Common Conservation Area. In relation to development proposals in Conservation Areas Policy DM3 of the DMP LDD stipulates that development will only be permitted if it preserves or enhances the character or appearance of the area and retains historically significant boundaries, important open spaces and other elements of the area’s established pattern of development, character and historic value, including gardens.

8.1.3 The Conservation Area Appraisal describes the special characteristics of Chorleywood Common Conservation Area as ‘the overwhelming character of the Chorleywood Common Conservation Area is rural, centring around an open common’.

8.1.4 The proposed extension would be sited to the rear of the dwelling and would not be visible from public vantage points along The Common or Old Common Road. The proposed extension would be deep relative to the original dwelling as it would be connected to an existing rear extension. However, taking into consideration the depth of the existing garden the proposal would not result in overdevelopment of the plot.

8.1.5 The proposed extension would not exceed the height and would have a reduced depth compared to the existing conservatory and extension. In addition the neighbours to the south at No.2 have extant permission (17/0258/FUL) for a rear extension of the same depth as this application. The Conservation Officer confirmed that the proposed extension would have little impact on the character and appearance of the Conservation Area. As such, it is not considered that the overall depth of the extension in conjunction with the existing extension would result in any demonstrable harm. Due to the varied land levels to the west of the site there maybe views of the site from further afield. However, any views of the extension would be limited and due to the proposed height of the extension it would not result in a prominent feature.

8.1.6 Although the extension would exceed the 3.6m guidance set out in Appendix 2, the proposed development would not result in any demonstrable harm to the visual amenities of the street scene or character and appearance of the Conservation Area. The proposal would therefore be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy, Policies DM1 and DM3 and Appendix 2 of the Development Management Policies LDD and the Chorleywood Common Conservation Area Appraisal.

8.2 Impact on Residential Amenity

8.2.1 Policy CP12 of the Core Strategy stipulates that development proposals should protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space. The Design Criteria as set out in Appendix 2 of the Development Management Policies LDD stipulates that extensions should not result in loss of light to windows of neighbouring properties nor allow overlooking. The Design Criteria stipulates that single storey rear extensions should have a maximum depth of 3.6m.

8.2.2 The proposed extension would have a depth of 3.4m however it would adjoin an existing extension to extend a total of 8m beyond the rear elevation of the original dwelling. This would far exceed the 3.6m maximum depth. However, the existing conservatory currently constitutes built form with a depth of 8.7m beyond the rear elevation and therefore the proposed development would constitute a reduction.

8.2.3 The neighbouring dwelling at no.2 has an existing part single-storey and part two-storey rear extension with a depth of some 4.6m. In addition, this property has extant planning permission for a single storey rear extension of 3.4m which would a total depth of 8.0m from the rear elevation and would be built in line with the proposed development although this has not yet been implemented.

8.2.4 Notwithstanding this, the proposal, in relation to the surrounding existing built form would not result in a loss of light to the rear aspect of the neighbouring property at No.2. As such, it is not considered that the proposed development would result in any unacceptable loss of light or harm to the visual amenities of this neighbour.

8.2.5 The Rose & Crown Public House has a two storey rear projection that extends more or less the same depth to the rear as the proposed total depth of the single-storey extension at the application site. This rear projection is set away from the boundary with no.1 however given that the proposed development is single storey, it is considered that the extension would not result in any unacceptable loss of light or harm to the visual amenities of The Rose & Crown.

8.2.6 No unacceptable overlooking would result from the proposed development into the neighbouring properties. The residential amenities of the other surrounding neighbouring properties would not be affected by the proposed development.

8.2.7 As such, it is not considered that the proposed development would result in any harm to the residential amenities of the surrounding neighbouring properties in accordance with Policy CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the DMP LDD.

8.3 Parking/Access/Highways

8.3.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means of access and to make adequate provision for all users, including car parking. Policy DM13 and Appendix 5 of the Development Management Policies document sets out parking standards for developments within the District.

8.3.2 The proposed development would not increase the number of bedrooms and would not encroach upon the existing parking provision serving the site.

8.4 Amenity Space

8.4.1 Policy CP12 of the Core Strategy states that development should take into account the need for adequate levels and disposition of amenity and garden space. Section 3 (Amenity Space) of Appendix 2 of the Development Management Policies document provides indicative levels of amenity/garden space provision.

8.4.2 The application dwelling is set in a substantial plot which would exceed the policy requirement; ensuring sufficient amenity space was retained for current and future occupiers.

8.5 Wildlife & Biodiversity

8.5.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.

8.5.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application. A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected as a result of the application. The Local Planning Authority is not aware of any records of bats (or other protected species) within the immediate area that would necessitate further surveying work being undertaken.

8.6 Trees

8.6.1 Policy DM6 of the Development Management Policies LDD (adopted July 2013) states that 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. Policy DM6 further states that development proposals should demonstrate that existing trees, hedgerows and woodlands will be safeguarded and managed during and after development.

8.6.2 The application site is located within the Chorleywood Common Conservation Area and as such all trees are afforded a degree of protection by virtue of the Conservation Area status. However, the proposed development would not result in the loss or harm to the Horse Chestnut Tree within the rear garden.

**9. Recommendation**

9.1 That subject to no new material considerations being raised, 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: 01

 Reason: For the avoidance of doubt and in the proper interests of planning and to safeguard the character and appearance of the Chorleywood Common Conservation Area and the residential amenity of neighbouring occupiers, in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Chorleywood Common Conservation Area Appraisal (2010).

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 Policies DM1 and DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

9.1.2 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 £97 per request (or £28 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. The Council's Building Control section can be contacted on telephone number 01923 727132 or at the website above for more information and application forms.

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. Information on this is also available from the Council's Building Control section. 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 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 development maintains/improves the economic, social and environmental conditions of the District.