

PLANNING COMMITTEE

NOTICE AND AGENDA

For a reconvened meeting to be held in the Penn Chamber at Three Rivers House, Northway, Rickmansworth, WD3 1RL on Thursday 19 August 2021 at 7.30pm

Members of the Planning Committee:-

Councillors:

Steve Drury (Chair)
Alex Hayward
Chris Lloyd
Sara Bedford
Keith Martin
Debbie Morris

Raj Khiroya (Vice-Chair)
David Raw
Alison Scarth
Ruth Clark
Phil Williams

*Joanne Wagstaffe, Chief Executive
Wednesday, 11 August 2021*

The Council welcomes contributions from members of the public to aid discussions on agenda items at Planning Committee meetings.

Details of the procedure are provided below:

For those wishing to speak:

Please note that, in the event of registering your interest to speak on an agenda item but not taking up that right because the item is deferred, you will be given the right to speak on that item at the next meeting of the Planning Committee.

Members of the public will be entitled to register and identify which application(s) they wish to speak on from the published agenda for the meeting. Those who wish to register to speak must notify the Committee team by e-mail (CommitteeTeam@threerivers.gov.uk) 48 hours before the meeting. The first 2 people to register on any application (one for and one against) will be sent details for attending the meeting. Registering 48 hours before the meeting will allow the Committee Team time to prepare the speaker sheet in advance of the meeting.

Please note that contributions will be limited to no more than three minutes.

For those wishing to observe:

The Council are limited on the number of people who can attend the meetings in person. To request one of the limited places as an observer, please contact the Committee Team by email at CommitteeTeam@threerivers.gov.uk 48 hours in advance of the meeting taking place.

Places will be allocated on a first come first served basis.

In accordance with The Openness of Local Government Bodies Regulations 2014 any matters considered under Part I business only of the meeting may be filmed, recorded, photographed, broadcast or reported via social media by any person.

Recording and reporting the Council's meetings is subject to the law and it is the responsibility of those doing the recording and reporting to ensure compliance. This will include the Human Rights Act, the Data Protection Legislation and the laws of libel and defamation.

The Planning Committee meeting will not being broadcast/livestreamed but a recording of the meeting will be available after the meeting.

1. APOLOGIES FOR ABSENCE

2. NOTICE OF OTHER BUSINESS

Items of other business notified under Council Procedure Rule 30 to be announced, together with the special circumstances that justify their consideration as a matter of urgency. The Chair to rule on the admission of such items.

3. DECLARATIONS OF INTEREST

To receive any declarations of interest.

Where a member of this Planning Committee is also a member of a Parish Council they are entitled to take part in any debate at this Committee on an application within that Parish area provided that the Councillor

- has an open mind about the application
- is not bound by the views of the Parish Planning Committee and
- can deal with the application fairly and on its merits at Committee

Planning Applications

The following applications (agenda items 4 to 5) are submitted for the Committee's decision and, unless otherwise stated, staffing, financial and legal implications are not applicable. Environmental implications are dealt with in the individual reports.

- 4. 21/1472/RSP - Retrospective: Continued use of ground floor for training and counselling accommodation for charitable and not-for-profit organisations at Hillside Community Hub, 4 School Mead, Abbots Langley WD4 OLB** (Pages 5 - 14)
- 5. 21/1508/FUL – First floor extension to create two storey dwelling including increase in ridge height, single storey rear extension, front porch, insulated render cladding, alterations to fenestration and associated landscape works including excavation, extension to drive and installation of retaining walls to front and rear at 112 WHITELANDS AVENUE, CHORLEYWOOD, WD3 5RG** (Pages 15 - 24)
- 6. OTHER BUSINESS – If approved under Item 3 above**
- 7. EXCLUSION OF PRESS AND PUBLIC**

If the Committee wishes to consider the remaining item in

private, it will be appropriate for a resolution to be passed in the following terms:-

“that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined under paragraph 1 – 7 of Part I of Schedule 12A to the Act. It has been decided by the Council that in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

(Note: If other confidential business is approved under item 3, it will also be necessary to specify the class of exempt or confidential information in the additional items.)

8. OTHER BUSINESS - if approved under item 3 above

Background papers

Background Papers (used when compiling the above reports but they do not form part of the agenda)

- Application file(s) referenced above
- Three Rivers Core Strategy (adopted October 2011)
- Development Management Policies LDD (adopted July 2013)
- Site Allocations Local Development Document (SALDD) (adopted November 2014)
- The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015)
- Supplementary Planning Documents and Guidance
- National Planning Policy Framework and National Planning Practice Guidance
- Government Circulars
- The Wildlife and Countryside Act 1981 (as amended)
- Town and Country Planning Act 1990 (as amended)
- Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990
- Planning and Compulsory Purchase Act 2004
- The Natural Environment and Rural Communities Act 2006
- The Conservation of Habitats and Species Regulations 2010
- The Localism Act (November 2011)
- The Growth and Infrastructure Act (April 2013)
- Town and Country Planning (Development Management Procedure) (England) Order 2015
- Town and Country Planning (General Permitted Development) (England) Order 2015
- Croxley Green Neighbourhood Plan (Referendum Version December 2018)
- Chorleywood Neighbourhood Development Plan (Referendum Version August 2020)

General Enquiries: Please contact the Committee Team at
committeeteam@threerivers.gov.uk

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RECONVENED PLANNING COMMITTEE - 19 AUGUST 2021

PART I - DELEGATED

4. 21/1472/RSP - Retrospective: Continued use of ground floor for training and counselling accommodation for charitable and not-for-profit organisations at HILLSIDE COMMUNITY HUB, 4 SCHOOL MEAD, ABBOTS LANGLEY WD4 OLB

Parish: Abbots Langley Parish Council
Expiry of Statutory Period: 04.08.21 (Agreed Extension)

Ward: Gade Valley
Case Officer: Clara Loveland

Recommendation: That Retrospective Planning Permission be Granted.

Reason for consideration by the Committee: This application was called in by three Members of the Planning Committee regardless of Officer Recommendation on the grounds that the development is within a residential area and the proposed evening use may have a detrimental impact on neighbouring residents.

1 Relevant Planning History

- 1.1 05/0953/FUL - Variation of planning permission 8/410/91: Extension of hours for evening meetings and increase the number of evening meetings per month to 4, one Saturday per month, increase the number of people attending meetings. Approved.
- 1.2 8/410/91 - Use of ground floor as an estate management office and relaxation of Cond.1 (opening hours) of planning permission 8/814/89 dated 1.9.89.
- 1.3 8/147/89 - Use of ground floor as estate management office.
- 1.4 8/942/86 - Office for social workers renewal.
- 1.5 8/905/85 - Office for social workers renewal.
- 1.6 8/667/83 - Office for social workers renewal.
- 1.7 8/388/82 - Office for social workers renewal.
- 1.8 8/215/81 - Office for social workers renewal.
- 1.9 8/12/80 - Office for social workers renewal.
- 1.10 8/279/78 - Office for social workers renewal.
- 1.11 8/228/75 - Change of use from doctor's surgery to office.

2 Description of Application Site

- 2.1 The application site consists in part the ground floor of a two storey building and a single storey flat roofed extension which comprises office facilities; including 3 meeting rooms and a toilet. The building fronts School Mead and is located on the corner of Gable Close in Abbots Langley.
- 2.2 The wider building accommodates a dwelling, No.4A School Mead which does not form part of the application site.
- 2.3 Outside of the application site but under the ownership/control of the applicant there is an area of open amenity to the front and side of the building. In front of the flat roofed extension there is a driveway for one vehicle.

- 2.4 School Mead is generally a residential area although the application site itself is not in a residential use. There is also a Baptist Church located opposite the application site and further to the west, on the other side of the open green area, are a row of shops.

3 Description of Proposed Development

- 3.1 This application seeks retrospective planning permission for the continued use of ground floor for training and counselling accommodation for charitable and not-for-profit organisations.
- 3.2 There would be no external or internal alterations.
- 3.3 The Planning Statement submitted with the application indicates that there is no longer a requirement for estate management (previous principle use) at the application site. It sets out that the range of users has expanded beyond those of the Watford Council, Ward Councillors and the Hillside Tenants Association (who were granted personal planning permission). Additionally, the current use of the site is no longer consistent with the extant planning permission.
- 3.4 The extant planning permission (05/0953/FUL) is conditioned to restrict the hours, numbers of people and the users. The conditions are:

Condition 1: The use of the premises hereby permitted for estate management purposes shall only be carried on during the hours of 08.30 and 17.30 Mondays to Fridays and at no time on Saturdays, Sundays or Bank Holidays. No variation of these hours shall occur without first obtaining written permission from the Local Planning Authority.

Condition 2: The use of the premises hereby permitted for meetings outside of the hours stated in condition 01 shall only be carried on during the hours of 17.30 and 21.30 Mondays to Fridays and between 12.30 and 17.30 on Saturdays. There shall be no meetings held on Sundays or Bank Holidays. No variation of these hours shall occur without first obtaining written permission from the Local Planning Authority.

Condition 3: The premises shall be used for not more than 4 evening meetings per month and not more than 1 Saturday meeting per month. There shall be no variation in the number of outside of house meetings per month unless written permission has been obtained from the Local Planning Authority.

Condition 4: Meetings held outside of normal estate management operating hours shall not be attended by more than 6 people. The only exception to this is attendance by a maximum of 18 people at one evening meeting per calendar month.

Condition 5: This permission shall ensure for the benefit of Watford Borough Council with ancillary use by the Hillside Tenants Association and any/all of the Langleybury Councillors only, and for no other person, company, firm or organisation without the prior written permission of the local planning authority.

- 3.5 It is proposed to continue to use the application site for a mixture of office, training and counselling accommodation for a charitable, not-for-profit organisation. It is also proposed that the application site would be used for meetings. Meetings would vary from health, social and community-care activities. Each meeting would have a maximum of 12 people and the building is proposed to only have 1 meeting at a time. Further details provided by the application during the application process indicates that the hub is to be used in partnership with Watford and Three Rivers Trust, Three Rivers District Council and Watford Community Housing. The nature of the use would be smaller support groups/therapy sessions focused on specific subjects such as carer support, hoarding and compulsive behaviour. The space would also be used for by community event organisers.

- 3.6 The submitted plans indicate that there are 3 meetings rooms with 1 of these used as a kitchen and break out space. The meetings rooms would be used interchangeably for the meetings. A hallway and toilet also exist.
- 3.7 There would be 2 employees (Officers) working in the premises.
- 3.8 The Planning Statement also seeks to alter the hours of operation of the premises and proposes 08.30 and 21.30 Mondays to Fridays and between 12.30 and 17.30 on Saturdays. No meetings are proposed to be held on Sundays or Bank Holidays.

4 Consultation

4.1 Statutory Consultation

4.1.1 Abbots Langley Parish Council: [No objection]

4.1.2 Hertfordshire Council Highways: [No objection]

The building is located on a corner plot in a largely residential area and opposite a church across the road. School Mead is designated as an unclassified local access road, subject to a speed limit of 30mph and is highway maintainable at public expense.

The application does not include any new or altered access nor any car parking. Following consideration of the continued use of an existing function and the nature of the use, which presumably supports other uses and local residents in the vicinity of the site who would have the potential to travel sustainably to and from the site, HCC as Highway Authority would not have an objection to the granting of planning permission.

4.1.3 National Grid: [No comment received. Any comments received will be verbally updated at the Committee meeting].

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 6

4.2.2 No of responses received: 1 (objection)

4.2.3 Summary of responses:

- Site attached to my house
- Room is below my bedroom
- Had previous issues with noise disruption as work night shifts

4.2.4 Site Notice: Not required.

4.2.5 Press notice: Not required.

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

6.1.1 In 2021 the new National Planning Policy Framework was published. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area.

It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

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

6.2 The Three Rivers Local Development Plan

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

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies PSP2, CP1, CP6, 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 DM6, DM9, DM12, DM13 and Appendix 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.

7 Planning Analysis

7.1 Principle of Development

- 7.1.1 The application site is located within a largely residential area within the Key Centre of Abbots Langley.

- 7.1.2 Place Shaping Policy (PSP) 2 of the Core Strategy (adopted October 2011) requires that development in Key Centres, such as Abbots Langley, will;

(m) Improve provision of, and access to, services and facilities, to meet future demands, specifically through: viii (improve the range of youth facilities in all Key Centres)

- 7.1.3 Policy CP1 of the Core Strategy (adopted October 2011) seeks to provide necessary infrastructure to enable and/ or support development, including, (but not limited to) transport, education, health, green infrastructure, utilities, waste facilities, waste water,

leisure, cultural and community facilities. Policy CP6 of the Core Strategy advises that the Council will support development proposals promotes skills and learning of the local workforce.

- 7.1.4 The application site has historically been used as a community facility, formally a doctor's surgery before changing its use to an office with estate and social care management. The proposed use of the premises which seeks to retain the community facility would therefore not alter the existing and historic site circumstances with regard to usage. Although the application seeks to widen the range of uses and its operational hours from those existing, it would provide a community facility opportunity in accordance with PSP2, Policy CP1 and CP6 of the Core Strategy. Its use is therefore given weight in favour of the development.
- 7.1.5 Nevertheless, it is necessary to consider the possible impacts on the immediate area from the use and its greater operational hours which are discussed in greater detail below.
- 7.1.6 Impact on amenity of neighbours
- 7.1.7 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels of disposition of privacy, prospect, amenity and garden space'.
- 7.1.8 Policy DM9 of the Development Management Policies document sets out that planning permission will not be granted for development which has an unacceptable adverse impact on the indoor and outdoor acoustic environment of existing or planning development. Also, would be subject to unacceptable noise levels or disturbance from existing noise sources whether irregular or not.
- 7.1.9 Historically, the site has been used for estate management and social care work with the most recent planning permission restricting the hours of use, users and numbers of people (05/0953/FUL).
- 7.1.10 The Planning Statement sets out that the estate management use is no longer required. Further, that the range of users has expanded and become more varied since the previous permission. Additional information provided by the applicant sets out that the building is to be used in partnership with Watford and Three Rivers Trust, Three Rivers District Council and Watford Community Housing. Further, that there would be a variety of meetings in smaller groups focused on various topics such as such as therapy sessions. Consequently, the application seeks permission to use the building for meetings to meet the needs of the current users. It is proposed that no more than 12 attendees would be present within the building at any one time. However, further details provided by the applicant indicate that it would be more likely a maximum of 8 attendees would be present.
- 7.1.11 During the course of the application the applicant provided information on the meetings. The meeting are proposed to be 'drop-in-style' with small break out groups rather than formal training /meetings in larger groups. As such, it is not expected that the proposed maximum number of attendees (12) would regularly be at the site at any one time. It is also considered that in the evenings (after 17:30) the numbers of attendees would likely be less. The proposal is put forward to be enable further flexibility from the extant permission which is more suited to the needs of the former users.
- 7.1.12 Historical use for the site and existing permission permits meetings between the hours of 08:30 and 17:30 Monday to Fridays and between 12:30 to 17:30 on Saturdays with no meetings on Sundays and Bank Holidays. The proposed continued use of meetings within these hours is no different from the existing permission. Consequently, there would be no material difference and the hours would be acceptable when considering in respect of safeguarding neighbouring residential amenity.

- 7.1.13 It is acknowledged that the proposal seeks to increase the number of attendees within the evening (after 17:30). Historically, a maximum of 6 people could attend meetings 4 times per month with the exception of 1 evening with 18 people. Therefore, the proposal which seeks up to 12 people between 17:30 and 21:30 Monday to Friday, which would be an increase in the number of potential people attending the meetings in the evening from the previous permission. Although the potential number of attendees would increase in number of regularity, details provided by the applicant also indicates that reaching the maximum of 12 people would be unlikely due to the proposed drop-in and break out nature of the facility.. It would also be restricted by the limited physical size of the building.
- 7.1.14 Nevertheless, it is acknowledged that the application site is located within a residential area with No.4A School Mead located immediately adjacent and partially above the application site. Thus, this neighbour would be most directly affected by the development and an objection has been raised during the course of this application in relation to noise. Noise is a material planning consideration. It is acknowledged that any increase in number of people at the application site would likely increase the activity on the premises which may contribute to increased noise levels. Notwithstanding this, the proposed use of the building would be styled a 'drop-in' sessions with break out areas and therefore, the indented use of the site would be limited. However, in order to safeguard residential amenity, it is recommended to restrict the hours of use and the numbers of attendees to 12 people, between 8:30 and 21:30 Monday to Fridays and 12:30 and 17:30 Saturdays and not at all on Sundays. The extant permission also allows for an exception of 18 attendees on 1 evening meeting per calendar month. Additionally information provided by the applicant indicates that this is unlikely to be used however, would provide a degree of flexibility for the site. Given that this exception could also be utilised in accordance with the existing permission, it is not considered it would arise in any further harm. Additionally, it is considered reasonable to restrict the use of meeting room 2 (as shown on plan number A1.1) after 17:30 as a meeting/consultation room, given this particular room is attached and below the neighbouring dwelling. Subject to a restriction on the hours of use and the number of attendees at the building, it is considered that there would be no additional adverse impact on this neighbour as a result of the proposal.
- 7.1.15 The application site is located on a corner plot and therefore, other neighbours such as no.1 Gable Close and no.3 School Mead are physically separated from the site. Given the degree of separation of these neighbours compared with the application site and the intended use of the building, it is not considered these neighbours would experience adverse harm as a result of the proposal.
- 7.1.16 The development is not considered to result in any adverse impact upon neighbouring properties and is acceptable in accordance with Policy C12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies document (adopted July 2013).

7.2 Impact on Character and Street Scene

- 7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness. Policy CP12 of the Core Strategy states that development should 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'conserve and enhance natural and heritage assets'.
- 7.2.2 Policy DM12 of the Development Management Policies document sets out that proposal for the redevelopment or change of use of any premises resulting in the loss of services that support the local community will only be permitted where the Council is satisfied that:
- i) The existing facility can be satisfactorily relocated within the development; or
 - ii) The use concerned is not economically viable, could be provided by some other means, or it can be demonstrated that there is no longer a demand for the use; or

- iii) The premises or site cannot readily be used for, or converted to, any other community facility and:
- iv) The facility or service which will be lost will be adequately supplied or met by an easily accessible existing or new facility in an appropriate alternative location, served by sustainable modes of transport.

7.2.3 There are no external alterations proposed thus, there would be no change or harm to the appearance of the existing building or wider area.

7.2.4 Historically the site has been used for community facilities. Therefore, the proposed continued use of the site for such purposes would not arise in harm to the character of the building or wider area.

7.2.5 The application seeks to increase the number of people using the facility within the evening between the hours of 17:30 and 21:30. However, given the size of the site and the nature of the 'drop-in' use, it is considered unlikely that the proposed number of people would be reached on a regular basis and would not have an adverse impact on the character of the building or area.

7.2.6 It is considered that the proposal would not result in any adverse impact on the existing building or wider streetscene. The development would therefore accord with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM12 of the Development Management Policies Document (adopted July 2013).

7.3 Wildlife and Biodiversity

7.3.1 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.

7.3.2 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.

7.3.3 The application has been submitted with 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.

7.4 Highways, Access and Parking

7.5 Core Strategy Policy CP10 (adopted October 2011) requires development to make adequate provision for all users, including car parking. Policy DM13 in the Development Management Policies document (adopted July 2013) states that development should make provision for parking in accordance with the Parking Standards set out within Appendix 5.

7.6 Non-residential Institution (Community/Family Centre) as set out within Appendix 5 of the Development Management Policies LDD states that the car parking standards for D1a community centres is 1 space per 9sqm gross floor area plus 1 space per full time staff member or equivalent

7.7 The gross floor area of the community facility is approximately 66sqm and therefore would require 7.3 spaces. It would also require an additional 2 spaces for the 2 Officers who will work at the site.

7.8 The application site has a driveway facing School Mead which could accommodate 1 vehicle. Therefore, there would be a shortfall of 8.3 spaces. A Highways Officer was consulted during the course of the application and commented that local residents would have the potential to travel sustainably to and from the site. There are also a number of public parking spaces in close proximity to the application site. Further, given the nature of the intended use of the site, it is unlikely to a substantial increase and unlikely to alter the existing parking circumstances.

7.9 Summary

7.9.1 The continued use of the community facility is given weight within the planning balance. However, given its location, regard must be had for safeguarding the residential amenities of occupiers at 4A School Mead. Consequently, it is considered that conditions can be imposed to ensure the residential amenity of the neighbouring property is protected and planning permission can be granted.

8 **Recommendation**

8.1 That RETROSPECTIVE PLANNING PERMISSION BE GRANTED subject to the following conditions:

C1 The use of the premises hereby permitted shall only be carried on during the hours of 08.30 and 21.30 Mondays to Fridays and between 12.30 and 17.30 on Saturdays and no time on Sundays or Bank Holidays.

Reason: To safeguard the residential amenities of the occupiers of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C2 The use of the premises hereby permitted in accordance with Condition 1, shall have a maximum number of 12 attendees during the hours of 17:30 and 21:30 Monday to Fridays. The only exception to this attendance is a maximum of 18 attendees at 1 evening (between 17:30 and 21:30) per calendar month. There shall be no meetings/consultations or similar whatsoever between the hours of 17:30 and 21:30 within meeting room 2 (as shown on Plan Number A1.1).

Reason: To safeguard the residential amenities of the occupiers of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C3 This permission shall ensure the benefit of Watford and Three Rivers Trust, Three Rivers District Council and Watford Community Housing and relevant ward Councillors only and for no other person, company, firm or organisation.

Reason: To seek control on how the premises is used in order to safeguard the residential amenities of the occupiers of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

8.2 Informatives

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

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or

other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

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

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) (for self-build housing) 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.

- 12 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.
- 13 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 and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

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RECONVENED PLANNING COMMITTEE – 19 AUGUST 2021

PART I - DELEGATED

5. **21/1508/FUL – First floor extension to create two storey dwelling including increase in ridge height, single storey rear extension, front porch, insulated render cladding, alterations to fenestration and associated landscape works including excavation, extension to drive and installation of retaining walls to front and rear at 112 WHITELANDS AVENUE, CHORLEYWOOD, WD3 5RG (DCES)**

Parish: Chorleywood Parish Council
Expiry of Statutory Period: 09.08.2021
(Extension of time agreed until 19.08.2021)

Ward: Chorleywood South & Maple Cross
Case Officer: Tom Norris

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: Called in by Chorleywood Parish Council unless Officers are minded to refuse as concerns have been raised relating to character and impact on street scene.

1 Relevant Planning History

- 1.1 21/1346/FUL - Landscaping work to front garden including reduction in land levels and retaining wall to accommodate new parking space and new stepped and ramped access - **Pending Consideration and on this committee agenda.**

- 1.2 21/1345/CLPD - Certificate of Lawfulness Proposed Development: Construction of single storey rear extension, front porch and insertion of door to side elevation - 19.07.2021 - **Permitted**

- 1.3 21/0588/FUL - First floor extension to create two storey dwelling including increase in ridge height, provision of rooflights, two storey rear extension, alterations to external materials including render cladding alterations to fenestration detail, associated landscaping works including alterations to driveway and rear staircase and terrace - 10.05.2021 – **Refused**

R1 The proposed rear extension including an extension to the main roof form, would result in an overbearing, unduly prominent, visually intrusive and un-neighbourly form of development which would have an adverse impact on the residential amenity of occupiers of no.110 Whitelands Avenue. The proposed rear staircase providing access from first floor level to the garden, by virtue of its depth and height, would result in harmful overlooking to the neighbouring occupiers of no.110 Whitelands Avenue. The proposal is therefore contrary to 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).

- 1.4 21/0022/PDT - Prior approval: Enlargement of the dwellinghouse by the construction of one additional storey (2.91m in height) to result in an overall height of 9.19m (Class AA) – 03.03.2021 – **Permitted**

- 1.5 20/2404/FUL - Demolition of existing bungalow and construction of two storey dwelling with associated landscaping, vehicular crossover and associated parking and alterations to land levels - 06.01.2021 – **Refused**

R1 The proposed replacement dwelling, by virtue of its excessively bulky roof design and form, would detract significantly from the character and appearance of the area resulting in demonstrable harm to the streetscene. The development would therefore be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011),

Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013), Policy 2 of the Chorleywood Neighbourhood Development Plan (Referendum Version, August 2020) and the NPPF (2019).

1.6 AM/1141/73 - Vehicular access and standing for 2 cars - 28.05.1973

2 Description of Application Site

- 2.1 The application site contains a detached bungalow located on the northern side of Whitelands Avenue, Chorleywood. The land levels on this part of Whitelands Avenue slope upward in a northern and western direction, meaning that the adjoining neighbour to the north-west is positioned at a higher level, the adjoining neighbour to the south east to a lower level and that the rear amenity garden slopes upwards towards the rear. The dwelling is also positioned at a higher level relative to the public highway.
- 2.2 The application dwelling is traditional in character with a hipped roof form and red facing brick exterior. Forward of the dwelling is a partially paved driveway and front garden including steps up to the dwelling. To the rear of the dwelling is an amenity garden of some 550sqm in area.
- 2.3 The street scene of Whitelands Avenue is relatively varied in terms of the style and design of dwellings within it. The street is comprised of a mixture of detached bungalows, detached two-storey dwellings and two-storey semi-detached dwellings. The direct neighbour to the west is a bungalow which has implemented roof extensions and the direct neighbour to the east is a bungalow.

3 Description of Proposed Development

- 3.1 It is proposed that the existing bungalow is increased in height to form a two-storey dwelling. The proposed additional storey would have a height of 2.905m above the existing ridge, a width of 8.8m and a depth of 10.5m. The extended dwelling would therefore have an eaves height of 5.5m and an overall ridge height of 9.2m. The dwelling would maintain its existing hipped roof design and form. Prior approval has previously been granted for the works described above, under reference 21/0022/PDT, for the enlargement of the dwellinghouse by the construction of one additional storey with raising of ridge height under the provisions of Schedule 2 Part 1 Class AA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
- 3.2 The extended dwelling would contain glazing within its front, rear and flank elevations at ground and first floor level. A rooflight would also be inserted within the eastern flank roofslope of the dwelling. It is proposed that external finish materials are altered to the whole dwelling to include grey metal framed windows, white render and grey artificial slate roof tiles.
- 3.3 It is proposed that a single-storey extension is built to the rear of the extended dwelling. The extension would have a depth of 3.0m from the principal rear elevation and would have a width of 8.3m. The extension would have a flat roof with an overall height of 3.0m. Within the rear elevation the extension would contain a set of bifold doors. It is proposed that a porch is constructed outside the main front door of the dwelling. The porch would have a depth of 2.0m and a width of 1.4m. The porch would have a hipped roof form with an eaves height of 2.8m and an overall height of 3.0m.
- 3.4 It should be noted that the LPA have confirmed that the proposed single-storey rear extension and front porch benefit from deemed planning permission under the Town and Country Planning (General Permitted Development) Order 2015, as amended, through the determination of Lawful Development Certificate reference 21/1345/CLPD.
- 3.5 It is proposed that alterations are made to the frontage to accommodate an additional third parking space. The altered driveway would incorporate retaining walls given the raised land

level that the dwelling is positioned on. The steps up to the dwelling would be repositioned to the eastern side of the frontage. No alterations are proposed to the existing vehicular access. These alterations to the frontage of the site are also subject of a separate planning application (reference 21/1346/FUL) which is on the same committee agenda.

- 3.6 It is proposed that the rear patio is extended by some 3.0m in depth at the rear. The sloped land levels would be excavated by a maximum depth of 1.5m from its current level and a retaining wall, which would have a width of some 11.5m, would be inserted.
- 3.7 This application seeks to establish two previously approved applications to be built as a single building operation with alterations to the external materials including light render and grey metal windows. These approved applications include a prior approval application for the construction of an additional storey to form a two-storey dwelling and a lawful development certificate for a single-storey rear extension and front porch.
- 3.8 Two planning applications have previously been refused at the site, as set out in the planning history. One application for the total demolition of the dwelling and the construction of a new dwelling was refused on the grounds of its individual design. Another application, which proposed to extend deeper in the site at first floor level than the existing dwelling, was refused on the grounds of neighbour impact. This current application does not bear resemblance or is, in any way, an amended version of these applications.

4 Consultation

4.1 Statutory Consultation

4.1.1 Chorleywood Parish Council: [Objection]

"The Committee had Objections to this application on the following grounds and wish to CALL IN, unless the Officer are minded to refuse planning permission.

Should the plans or supporting information be amended by the Applicant, please advise the Parish Council so the comments can be updated to reflect the amended.

The proposed car parking and landscaping are out of character with the street scene and the development at the neighbouring property only highlights the harm the changes to the front boundary and car parking causes to the street scene.

The proposal would result in the loss of the grass verge and the proposal is contrary to the Chorleywood Neighbourhood Plan.

The property is located in a Cul De Sac, the proposed building line is not consistent with that of the neighbouring properties.

The development would be imposing and out of character with the surrounding area.

The proposal is contrary to Policy 4.1, 2.1, 2.2, 2.4 Chorleywood Neighbourhood Plan The development would be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011)."

4.1.2 London Underground Infrastructure Protection: [No objection]

"I can confirm that London Underground/DLR Infrastructure Protection has no comment to make on this planning application as submitted.

This response is made as Railway Infrastructure Manager under the "Town and Country Planning (Development Management Procedure) Order 2015". It therefore relates only to railway engineering and safety matters. Other parts of TfL may have other comments in line with their own statutory responsibilities."

4.1.3 National Grid: [No response received]

4.2 Public/Neighbour Consultation

4.2.1 Neighbours consulted: 11

4.2.2 Responses received: 4 (3 Objections, 1 Support)

4.2.3 Site Notice posted 17.06.2021, expired 08.07.2021

4.2.4 Press notice not required

4.2.5 Summary of objections received:

- The proposed development would lead to overshadowing
- The proposed development would be at odds with the street scene
- The proposed materials would be out of character with the street scene
- Previous applications have been refused
- Allowing this application would set a precedent for bungalows to disappear
- The proposed height dwarfs the neighbouring dwelling which is at a lower land level
- The proposed development would alter the character of the road
- The loss of grass frontage is also a cause for concern

4.2.6 Summary of support received:

- Support fully what this family is trying to accomplish
- The area is evolving and bungalows in the area are in need of repair and modernisation
- Demographics should have nothing to do with opposing this plan
- The proposal is well designed and in keeping with the street
- No objections to the proposed materials
- Parking on the road has become an issue and I see no reason to object to the expansion of the driveway

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

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

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

6.2 The Three Rivers Local 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 of the adopted Core Strategy include CP1, CP8, 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 of the adopted Development Management Policies LDD include DM1, DM4, DM6, DM13 and Appendices 2 and 5.

Chorleywood Neighbourhood Development Plan (Referendum Version, August 2020, adopted May 2021). Relevant policies include Policies 2 and 4.

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.

7 **Planning Analysis**

7.1 Principle of Development

- 7.1.1 The site is located within the Chorleywood Neighbourhood Development Plan area. Policy 4 of the Chorleywood Neighbourhood Plan relates to 'Housing to meet the needs of local people'. This policy states that "in areas characterised by groups of bungalows those developments which require the submission of a planning application will be carefully assessed to ensure that the supply of housing suitable for older and disabled people is not diminished. This will usually mean that suitable bungalows will not be able to be converted into multi-level dwellings". The proposal would result in a loss of a bungalow and the creation of a 'multi-level dwelling' and would therefore not comply with the aforementioned Policy 4. Although the Chorleywood Neighbourhood Development Plan can now be given significant weight in decision making, it is not considered that the principle of constructing an additional storey to the bungalow to make it a multi-level dwelling is unacceptable or would justify refusal of planning permission subject to other material considerations. It is not considered that the proposal would demonstrably diminish the supply of housing suitable for older or disabled people, as the extended dwelling could still, with or without further adaptation, provide suitable living accommodation for older or disabled people. As referenced in Policy 4, various alterations can be made to properties without the need to apply for planning permission, via 'permitted development' and as such can transform a bungalow into a 'multi-level dwelling'. As set out in the planning history above, prior approval (21/0022/PDT) has been granted for the enlargement of the application dwellinghouse by the construction of one additional storey.

7.2 Impact on Character and Appearance

- 7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy 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.
- 7.2.2 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. The Design Criteria at Appendix 2 states that the first floor element of development should be set in by a minimum of 1.2 metres to prevent a terracing effect within the street scene. Increases to ridge height will be assessed on their own merits at the time of a planning application. 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.
- 7.2.3 Policy 2 of the Chorleywood Neighbourhood Development Plan states that All developments must demonstrate how they are in keeping with, and where possible enhance, the Special Characteristics of Chorleywood and that all development should seek to make a positive contribution to the 'street scene' by way of frontage, building line, scale and design.
- 7.2.4 The proposed development would involve the construction of an additional storey to an existing detached bungalow to form a two-storey dwelling. The adjoining neighbour to the south-east is a bungalow of similar design to the application dwelling and is positioned at a lower land level. The adjoining neighbour to the north-west is a bungalow that has undergone a front and rear gable extension to its roof form and an increase in ridge height of approximately 1.0m, and is positioned on a higher land level to the application dwelling. The wider context of Whitelands Avenue is relatively varied in character. The neighbouring dwellings located to the south east consist of a row of bungalows and then two-storey dwellings. The neighbouring dwellings to the north-west include a mix of bungalows with roof accommodation and two-storey dwellings. The opposite side of the road is predominantly made up of two-storey semi-detached dwellings.
- 7.2.5 The proposed additional storey extension would follow similar design principles to the existing dwelling in terms its general dimensions and hipped roof profile. The proposed development would give rise to a dwelling that appears somewhat larger in its overall scale and massing however the dwelling itself is not considered to be significantly wide or deep such that an additional storey would give rise to a dwelling of an overly dominant scale. It is considered that the proposed development would respect the heights relative to neighbours. It is acknowledged that the maximum overall roof height slightly exceeds that of the neighbour to the northwest however is not considered to appear at odds with the street scene due to the hipped nature of the roof. In summary, is not considered that the proposed extensions to form a two-storey dwelling would result in harm to the character and appearance of the dwelling or street scene. Furthermore, it is acknowledged that Prior Approval (210022/PDT) has been granted for the same form of development which could be implemented should planning permission be refused.
- 7.2.6 In addition to the above, the proposed development includes the construction of a single-storey rear extension and a front porch. The proposed single-storey rear extension would have a depth of 3.0m which would comply with the Design Criteria for extensions to detached dwellings. The extension would also be positioned to the rear of the dwelling therefore views would be significantly obscured from public vantage points. In summary, it is not considered that the single-storey rear extension would result in harm to the character and appearance of the dwelling or street scene. The proposed front porch would be visible from the street scene however, given its relatively small scale and hipped roof design to match the dwelling, it is not considered that this element of the proposal would result in harm to the character and appearance of the dwelling or street scene.

- 7.2.7 This application proposes changes to the external finish materials of the dwelling. These include relatively modern finish materials such as white render and grey framed windows. Given the general variance of the street scene of Whitelands Avenue, it is not considered that there would be an in principle objection to a dwelling of a more modern and contemporary character and it is not considered that the proposed materials would result in harm to the character of the dwelling or street scene.
- 7.2.8 It is not considered that the proposed alterations to the driveway and frontage would result in harm to the character and appearance of the area. The existing frontage is currently made up of lawn, hard and soft landscaping features including a series of raised brick-clad planters, raised steps and an area of paving to accommodate two car parking spaces. The proposal to accommodate one additional parking space and associated works such as the construction of new retaining walls would slightly alter its existing appearance however it is not considered however that harm would arise as a result. The frontage would retain a significant portion of soft landscaping along with the proposed increased driveway size and it is not considered that the frontage would appear out of character with the dwelling or street scene particularly given the driveway alterations made across Whitelands Avenue as a whole. The submitted plans indicate that the proposed retaining walls would have a brickwork finish and subject to a condition requiring that brickwork to match the existing dwelling, it is considered that this would result in an acceptable appearance to the frontage, which may reduce the number of different facing materials when compared to the existing situation. It is not considered that the extension to the rear patio would result in any harm to the character and appearance of the dwelling or street scene.
- 7.2.9 In summary, it is not considered that the proposed development would result in an adverse impact on the character or appearance of the host dwelling, street scene or area and the proposal would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy, Policy DM1 and Appendix 2 of the Development Management Policies document and Policy 2 of the Chorleywood Neighbourhood Development Plan.
- 7.3 Impact on amenity of neighbours
- 7.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties. Two-storey development should not intrude the 45 degree splay line measured from a point on the shared boundary level with the rear wall of the dwelling.
- 7.3.2 The proposed block plan indicates that the proposed development would adhere to the 45 degree splay line and would not intrude at first floor level from a point taken on the shared boundary with each adjoining neighbour. The proposed ground floor rear extension would extend some 3.0m beyond the rear elevations of each adjoining neighbour which would comply with the Design Criteria and is not considered to be excessively deep. Furthermore there would be a spacing of at least 1.5m maintained to each flank boundary. It is therefore not considered that the proposed development would result in an overbearing impact or a loss of light to either adjoining neighbour. Given the relative scale and position of the proposed porch, it is not considered that this would result in harm to the residential amenities of any neighbouring occupiers.
- 7.3.3 The extended dwelling would contain ground and first floor level glazing within its front and flank elevations and within the eastern flank roofslope there would be a rooflight serving a stairwell. It is acknowledged that the introduction of first floor glazing would provide an elevated front and rear outlook however it is not considered that this would be detrimentally harmful to the residential amenity of either adjoining neighbour. It is considered appropriate for the proposed first floor flank windows to be conditioned to be obscure glazed and top

level opening only to prevent overlooking and a condition will be included on any permission granted stating this.

7.3.4 It is not considered that the proposed front driveway or rear patio alterations would result in harm to the residential amenities of any neighbours in terms of a loss of light or overlooking.

7.3.5 In summary, the proposed development is acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

7.4 Highways & Parking

7.4.1 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 set out parking standards.

7.4.2 The proposed extended driveway provides space for at three parking spaces and as such is considered that there will be adequate parking space for present and future occupiers. No changes to the existing access are proposed as part of the proposed development which would remain as existing.

7.5 Rear Garden Amenity Space

7.5.1 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.

7.5.2 The dwelling would retain a garden of approximately 500sqm in area which is considered to be acceptable.

7.6 Trees & Landscape

7.6.1 Policy DM6 of the Development Management Policies LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.

7.6.2 The proposed development would not require the removal of any trees and is not considered to result in any impact to trees. The proposed development is therefore considered to be acceptable in this regard.

7.7 Biodiversity

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

7.7.2 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.

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: P001, P009, P011

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the locality, the residential amenity of neighbouring occupiers in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and Policies 2 and 4 of the Chorleywood Neighbourhood Plan (Referendum Version August 2020).

C3 The proposed development hereby permitted, shall be carried out in accordance with the materials as shown on the approved plans and materials schedule and no external materials shall be used other than those approved.

Reason: In the interests of the visual amenity of the area 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 Before the first occupation of the development hereby permitted the windows in the first floor flank elevations and outer flank roofslopes shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the rooms in which the window are installed. The proposed window serving the stairwell shall be fitted with translucent glass. The windows 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).

Informatives

11 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.

- 12 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.
- 13 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.