

PLANNING COMMITTEE – 20 APRIL 2023

PART I - DELEGATED

9. 23/0304/RSP – Part Retrospective: Erection of front porch and alterations to external materials including render at 32 BEACON WAY, RICKMANSWORTH, HERTFORDSHIRE, WD3 7PE.

Parish: Chorleywood Parish Council

Ward: Rickmansworth Town

Expiry of Statutory Period: 27.04.2023

Case Officer: Freya Clewley

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: A Councillor is a neighbour of the application site.

1 Relevant Planning History

1.1 W/276/62 – Extension to garage

1.2 99/01353/FUL – Replacement of flat roof with pitched roof – Permitted 15.06.1999.

1.3 09/1213/FUL – Single storey rear extension, first floor rear extension and front porch – Permitted 01.10.2009.

2 Description of Application Site

2.1 The application site is rectangular in shape and contains a two storey detached dwelling located on the northern side of Beacon Way, Rickmansworth. Beacon Way is a residential road, characterised by detached dwellings of varying architectural styles and designs, many of which have been extended or altered.

2.2 The dwelling is finished in white render, with tile hanging to the centre of the two storey bay window projection to the front elevation and a dark tiled hipped roof form. There is a carriage driveway to the application site frontage, with space to park at least three vehicles. To the rear, a patio area abuts the rear elevation of the dwelling, leading to an area of lawn and soft landscaping.

2.3 The neighbour to the east, number 30 Beacon Way, is a detached two storey dwelling, constructed close to the shared boundary with the application site. This neighbour is located on the same land level and building line as the host dwelling. The neighbour to the west, number 34 Beacon Way, is a detached bungalow, constructed close to the shared boundary with the application site.

3 Description of Proposed Development

3.1 The application seeks part retrospective planning permission for the construction of a front porch and alterations to external materials to include render.

3.2 The front porch would have a depth of 1.4m and a width of 2.3m, extending from the main two storey front elevation of the host dwelling. The porch would have a pitched roof form with a maximum height of 3.5m and an eaves height of 2.5m. A door is proposed within the front elevation of the porch. The porch would be finished in render to match the dwelling.

3.3 The proposal also includes the removal of the existing hanging tiles to the bay window projection, and their replacement with render to match the host dwelling.

3.4 During a site visit it was ascertained that the works to construct the porch had commenced.

4 Consultation

4.1 Statutory Consultation

4.1.1 Chorleywood Parish Council: [No Objection]

The Committee had no Objection to this application.

4.1.2 National Grid: No response received.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 5

4.2.2 No of responses received: 0

4.2.3 Site Notice: N/A Press notice: N/A

5 Reason for Delay

5.1 None.

6 Relevant Planning Policy, Guidance and Legislation

6.1 Legislation

Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise as set out within S38(6) Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990).

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.

6.2 National Planning Policy Framework and National Planning Practice Guidance

In July 2021 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The 2021 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”.

6.3 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 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, DM6, DM13 and Appendices 2 and 5.

The Chorleywood Neighbourhood Plan Referendum Version (December 2020). Policy 2 is relevant.

6.4 Other

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

7 Planning Analysis

7.1 Impact on Character of Host Dwelling and Street Scene

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'.

7.1.2 Policy 2 of the Chorleywood Neighbourhood Plan outlines that all development should seek to make a positive contribution to the streetscene by way of frontage, building line, scale and design.

7.1.3 The porch would extend from the main two storey front elevation of the host dwelling, and would be relatively small in terms of size and scale. It would not project forward of the existing two storey front projection. It is noted that the streetscene of Beacon Way is varied in terms of porches and front extensions, and given the scale of the porch, it is not considered that the porch would result in any harm to the character or appearance of the host dwelling or streetscene.

7.1.4 The proposal would include the replacement of the hanging tiles to the bay window projection with render to match the existing dwelling. These alterations are small in scale and would not result in any harm to the character or appearance of the host dwelling or streetscene.

7.1.5 In summary, it is considered that the proposal would respect the character and appearance of the host dwelling and streetscene. As such, the development would accord with Policies CP1 and CP12 of the Core Strategy, Policies DM1 and Appendix 2 of the Development Management Policies document and Policy 2 of the Chorleywood Neighbourhood Plan Referendum Version (December 2020).

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 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 Given the scale and nature of the proposed porch and alterations to external materials, it is not considered that this element would result in any impact on neighbouring amenity.

7.3 Amenity Space Provision

- 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. Specific standards for amenity space are set out in Appendix 2 of the Development Management Policies LDD. The proposed development would not encroach upon the existing amenity space to the rear of the dwelling or increase the number of bedrooms and as such, the proposal is considered to be acceptable 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. A Biodiversity Checklist has been submitted and indicates that no protected species would be affected by the development.

7.5 Trees and Landscaping

- 7.5.1 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. There are four trees along the front boundary of the application site which are subject to TPO119, with other mature trees also afforded a level of protection due to the location of the application site within the Moor Park Conservation Area.
- 7.5.2 The proposed works would not result in any harm to the mature, protected trees within or surrounding the application site and the proposal is acceptable in this regard.

7.6 Highways, Access and Parking

- 7.6.1 Policy DM13 of the Development Management Policies LDD requires development to make provision for parking in accordance with the parking standards set out at Appendix 5 of the Development Management Policies LDD. The dwelling would retain a driveway large enough to accommodate at least three cars which would be in accordance with policy for a dwelling of this size.

8 **Recommendation**

- 8.1 That Part Retrospective PLANNING PERMISSION BE GRANTED subject to the following conditions
- C1 Those parts of the development hereby permitted that have not yet been carried out shall be begun before the expiration of 3 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: 32BW-01, 32BW-02, 32BW-03, 32BW-04 and 32BW-00.

Reason: For the avoidance of doubt, in the proper interests of planning and to safeguard the character and appearance of the Moor Park Conservation Area; in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM6, DM13 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and Policy 2 of the Chorleywood Neighbourhood Plan Referendum Version (December 2020).

- 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).

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. If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

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 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.