

PLANNING COMMITTEE – 14 December 2023

23/1694/FUL: Demolition of existing conservatory and construction of single storey side and rear extensions, first floor side extension, loft extension including alterations to the roof, rear dormer window and rear rooflights, new entrance door, internal alterations and alterations to fenestration detail at SANTOSH HOUSE, 6 PEMBROKE ROAD, MOOR PARK, NORTHWOOD, HERTS, HA6 2HR

Parish: Moor Park and Eastbury
Expiry of Statutory Period: EOT: 19 December 2023

Ward: Batchworth Community Council
Case Officer: Claire Wilson

Recommendation: That Planning Permission be granted.

Reason for consideration by the Committee: This application has been called in by three members of the Planning Committee due to concerns regarding the possible impact on neighbour privacy and the Moor Park Conservation Area.

To view all documents forming part of these applications please click on the relevant link below:

<https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=S23EKXQFHAY00>

1 Relevant Planning History

- 1.1 W/1068/49: Change of use into Nursing Home. Application withdrawn.
- 1.2 8/526/82: Existing garage into sitting room, new double garage. Permitted and implemented.
- 1.3 99/1436/FUL: First floor rear balcony, car port, and side infill to create habitable room. Application withdrawn.
- 1.4 02/00365/FUL: Single storey side extension and escape hatch. Application permitted.
- 1.5 03/1146/FUL. Retrospective canopy. Application refused.
- 1.6 11/1223/RSP: Retrospective application. Retention of roof dormer. Application permitted.
- 1.7 12/2386/RSP: Retention of existing gazebo: Application permitted.
- 1.8 18/1263/CLPD: Certificate of Lawfulness Proposed Development. Erection of detached outbuilding. Application withdrawn.
- 1.9 23/0890/FUL: Demolition of existing conservatory and construction of single storey side and rear extensions, first floor side extension. Loft conversion including alterations to roof with rear dormer window and rear rooflights, front porch and new entrance door, internal alterations, alterations to fenestration and replacement front boundary treatment including brick wall/railings. Application withdrawn.

2 Description of Application Site

- 2.1 The application site consists of a two storey heavily extended detached dwelling located on the western side of Pembroke Road, Moor Park in close proximity to the junctions with both Wolsey Road and Sandy Lodge Road.

- 2.2 The dwelling is located within the Moor Park Conservation Area which is characterised by detached dwellings of varied architectural style and with generous spacing between dwellings. It appears that the original dwelling dates from pre-1958, with the original extent of the host dwelling being located centrally. It has a pitched roof form, with a two storey hipped projection to the front elevation. The dwelling is tile hung at first floor level with the roof form having a large eaves overhang.
- 2.3 The host dwelling has been historically extended, to the north with a two storey side extension. This has a part pitched/part crown roof form with flat elements at two storey level to the rear. In addition, the dwelling has been extended towards the boundary to the south with a single storey side extension with crown roof form. To the rear, the dwelling has been extended with a single storey rear extension, and projecting beyond this is a covered veranda supported by pillars. To the side of the dwelling is a single storey fully glazed outbuilding which contains a swimming pool. Beyond this, is the main rear garden which is mainly laid to lawn.
- 2.4 To the front of the dwelling is a paved carriage driveway with ample provision for parking along with an individually protected Oak tree (TPO 465). There is existing front boundary treatment which consists of a low-level white stone wall with stone railings. It is noted that there is a change in land levels within the road, which results in the host dwelling being set at a lower level to no.8. The other adjacent neighbour is set away from the boundary with the host dwelling.

3 Description of Proposed Development

- 3.1 The applicant is seeking full planning permission for the demolition of the existing conservatory and construction of single storey side and rear extensions, first floor side extension, loft extension including alterations to roof, rear dormer window, and rear rooflights, new entrance door, internal alterations and alterations to fenestration detail.
- 3.2 The existing ground floor crown roofed side extension accommodating a double garage would be partly demolished and reduced in width by approximately 1m. In addition, a single storey rear extension is proposed to this, which would measure 2.4m in depth and would extend for the width of the altered garage. The double doors to the front of the garage would be replaced with a single door. The extension would have a crown roof form at a height of 3.4m sloping down to an eaves height of 2.5m (same as existing).
- 3.3 In addition to the above, a single storey side/rear extension is proposed which accommodate a new gym and would physically adjoin the proposed single storey side extension. This would have a maximum width of 2.7m from the flank wall of the existing dwelling and a maximum depth of approximately 6.8m. The rear wall of the extension would be flush with the main rear wall of the dwelling. It would have a crown roof form with a height of approximately 3.4m .
- 3.4 The existing rear extension located beneath the existing rear canopy would be demolished and replaced with a new single storey extension measuring 2.5m in depth and 5.1m in width. An existing projecting located on the rear elevation would also be demolished.
- 3.5 At present, the first floor element to the northern side of the dwelling has an irregular shaped footprint. The applicant is therefore proposing an infill extension at first floor level between the existing bedroom two and the ensuite bathroom to bedroom four. There would be no increase in depth as a result of the proposal. A new hipped roof form is proposed to the flat roof on the existing addition as well as incorporating the infill extension to the side of the dwelling, set down from the main ridge of the dwelling by approximately 0.5m.
- 3.6 At loft level, the existing flank dormer window facing no.8 would be removed. To the rear, a new pitched roof dormer window would be constructed within the extended roof form and two new rear rooflights are also proposed.

- 3.7 The existing chimneys are shown to be retained externally.
- 3.8 Amended plans have been received during the course of the application which have removed the green roof form.

4 Consultation

4.1 Statutory Consultation

4.1.1 Batchworth Community Council: [Clarifications sought]

BCC seeks clarification of the following matters as the revised plans do not appear to address the following matters:

The Heritage Statement indicates that the existing north side chimney is to be repositioned to the proposed north side elevation. It is not clear whether the original chimneys are to be retained or replaced by dummy chimneys as the floor plans do not appear to show two fire places or chimney breasts.

It is not clear what purpose the green flat roof will serve. Any future use of a balcony should be prohibited as it would impact on the privacy of neighbours at no.4.

BCC requests that a construction management plan be put in place with effective monitoring plan of any demolition and to ensure the retention of the façade and flank walls of the host dwelling.

4.1.2 Moor Park 1958: [Clarifications sought]

Whilst certain aspects of the previous application which was withdrawn have been addressed, there still remains the issues of the chimneys and the flat roof.

With respect to the chimneys, the Heritage Statement refers to the fact that the existing north side chimney which has been impacted by the existing incongruous additions, is also to be repositioned to the north elevation to account for the new layout. This does not seem to be what is shown on the plans. The plans seem to indicate that the chimney is to be taken out at ground and first floor level, with the chimney stack above first floor level remaining as viewed from the front of the property but dwarfed by the new roof construction.

The chimneys on the south side of the property appear to remain as existing externally, but internally, the western of the two chimneys appears to be removed at first floor level and the easterly one being removed at ground floor level. Can this be confirmed?

With respect of the flat roof, the current application still proposes a balustrading around the flat roof and it would appear that access on to this is still available from the first floor bedroom, but the elevational detail does not match with the floor plan in relation to this detail. There is concern that if this flat roof referred to as a green roof is accessible, there will be substantial overlooking of the garden and swimming pool at no.4 Pembroke Road, and they will suffer from loss of privacy and amenity.

Can it be confirmed that the flat roof at the rear of the property will not be readily visible from either Bedroom 1, Dressing Room 1 or Bedroom 2 and will not be used as a balcony and that a condition on any permission to this effect will be imposed.

Officer comment: The following clarification has been received from the agent with regard to the chimneys:

I can confirm we are fully retaining the chimney to the left-hand side (western one) from ground floor to stack.

The chimney on the same side (eastern one) will have the fireplace removed at ground floor and will be supported at first floor level. The chimney stack is obviously retained.

The chimney at the front (between gables) will have the chimney breasts removed from both the ground and first floor and the stack will be supported at loft floor level.

4.1.3 Conservation Officer: [No objection]

This application is for the demolition of existing conservatory and construction of single storey side and rear extensions; first floor side extension; loft extension including alterations to roof, rear dormer windows and rear rooflights; new entrance door; internal alterations, alterations to fenestration.

The property is located in the Moor Park Conservation Area.

This application follows pre-application and a subsequent formal application (ref: 23/0890/FUL) that was then withdrawn.

Pre-application advice and advice pertaining to 23/0890/FUL raised concerns regarding the scale and form of the proposed extension as well as the loss of characterful features. The scheme has been revised omitting the large, two storey extension to the south elevation and amending the form and reducing the scale of the extension to the north elevation. The chimneys are now retained which is positive.

Whilst the extension to the north side is large, it does work refine some of the existing piecemeal additions and would result in a more unified appearance. However, there are outstanding concerns regarding the proposed balcony to the rear.

Were permission granted, I recommend that a condition is attached requiring samples of external materials.

4.1.4 National Grid: No comments received.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 5

4.2.2 No of responses received: 1 objection.

4.2.3 Site Notice: Expiry 01.11.2023 Press notice: 10.11.2023

4.2.4 Summary of Responses:

- Concerns regarding loss of privacy from the balcony, this would overlook the pool and garden.
- Further loss of privacy from proposed new windows in the proposed new roof extension to the right-hand side of the property.
- Loss of value.

Officer comment: It should be noted that loss of the value of a property is not a material planning consideration. All other comments will be addressed within the analysis section of the report.

5 Reason for Delay

5.1 No delay. Extension of Time agreed.

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 (S38(6) Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990)

S72 of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.

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 Policy and Guidance

National Planning Policy Framework and National Planning Practice Guidance

In 2023 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 2023 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.

The Three Rivers Local Plan

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

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, , CP9, CP10, CP11 and CP12.

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

6.3 Other

The Moor Park Conservation Area Appraisal (2006)

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

7 **Planning Analysis**

7.1 Impact on Character, Street Scene, and Conservation Area

7.1.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'. Policy DM1 and Appendix 2 of the Development Management Policies LDD relate to residential extensions and advise that development should not be unduly prominent within the streetscene.

7.1.2 The site is located within the Moor Park Conservation Area and therefore Policy DM3 of the Development Management Policies LDD is also relevant. This advises that development will only be permitted where it is of a design and scale that preserves or enhances the character or appearance of the area. The Moor Park Conservation Area Appraisal is also relevant and sets out specific guidance in order to preserve the special character of the area.

7.1.3 The existing host dwelling whilst a pre-1958 dwelling has been subject to substantial extensions and additions historically, many of which are now considered to be unsympathetic and detract from the original appearance of the dwelling. However, some characterful features have been retained including the eaves overhang at roof level, mansard facades and large feature chimneys. At the time of the previously withdrawn application, the Conservation Officer noted that despite the unsympathetic nature of previous extensions, as it stands currently, these extensions still permit an appreciation of the original form and scale of the host dwelling.

7.1.4 The proposal includes the provision of a new roof form over the existing two storey side addition to the north of the dwelling. It is acknowledged that this would be a relatively large addition, however, the plans indicate that the roof form would be set down from the main ridge of the dwelling and would also be hipped, therefore minimising the overall bulk and massing of the dwelling whilst also ensuring that the original part of the dwelling remains the principle element of the front elevation. In addition, the proposed works would also remove the existing crown roof element and the existing flat roof form at two storey level to the rear. The Moor Park Conservation Area Appraisal discourages the provision of flat roof forms and as such, the reinstatement of a traditional pitched roof form would be viewed as an enhancement.

7.1.5 The Moor Park Conservation Area Appraisal provides specific guidance in order to retain the special character of the Conservation Area, stating the following:

'A minimum of 20% of the site frontage at existing building lines must be kept clear of all development along the entire flank elevations, subject to a distance of not less than 1.5m being kept clear between flank walls and plot boundaries....'

In cases where the width of existing buildings covers 80% or more of the plot width at the building line, further extension towards the boundaries (or upwards) will not be permitted.

- 7.1.6 In this case, the provision of the new roof form over the existing northern extension would result in an increase in the upper bulk and massing of the dwelling. As such, the above guidance is applicable. The existing built form has a plot frontage width of approximately 88%, thereby already exceeding the frontage width as set out in the Conservation Area Appraisal. The existing first floor element to the north sits a minimum of 0.75m from the boundary due to the roof overhang, however, the main flank wall appears to be set back by approximately 0.8m.
- 7.1.7 The applicant is proposing to reduce the plot frontage width, by reducing the width of the existing single storey garage by approximately 1m; resulting in a reduced plot width coverage of 84%. In addition, the new roof form to the north means that the first floor flank wall would be set back from the boundary by 1.8m relative to 0.75m. Whilst it is acknowledged that the proposal would remain contrary to the Appraisal as the plot frontage width would still exceed 80%, the Conservation Officer notes that the works would refine some of the existing piecemeal additions and would result in a more unified appearance. As such, it is considered that the proposed works would enhance the appearance of the dwelling whilst also further opening up space to the south. Consequently, it is not considered that significant harm would occur to justify refusal on this basis.
- 7.1.8 The proposals also include an extension to the rear of the garage to accommodate a boot room, a single storey side extension to the dwelling to create a gym and a further single storey rear extension located beneath the existing canopy (which would replace an existing single storey rear extension). These elements would be read against the footprint of the existing dwelling and as such would not appear disproportionate. It is not considered that these extensions would not significantly extend the depth of the dwelling and thus would not encroach into the open garden to the rear of the site, thus containing the built form. It is noted that the single storey elements would have a crown roof form/flat roof form. However, given these elements would not be readily visible from the frontage and the appearance of the existing single storey garage extension/rear flat roofed canopy that these elements would be read against, no objections are raised. Some original concern was received with regard to the creation of a green roof form to the rear over the existing canopy as this was not viewed to be a typical feature of the Conservation Area. In response, the green roof form and associated balustrading have been removed from the plans.
- 7.1.9 It is noted that the Moor Park Conservation Area notes the following with regard to plot coverage:
- Buildings, including all out buildings (garages, car ports etc), should not cover more than 15% of the plot area. The building cover includes any areas at first floor level which over hang the ground floor or any built areas at basement level where these extend beyond the ground floor.*
- 7.1.10 In this case, the existing dwelling has a plot coverage of approximately 21% taking into account the existing covered swimming pool, and the gazebo to the rear. The proposed plot coverage equates to approximately 23%. Whilst it is acknowledged that this would still exceed the plot coverage guidance, given the siting of the extensions, and the existing plot coverage any impact would be negligible upon the character of the conservation area.. Furthermore, the development would also include a reduction in the width of the existing garage which would further open up space around the dwelling, a key characteristic of the conservation area, thereby enhancing its character and appearance.
- 7.1.11 With regard to the loft conversion, the plans include the removal of the existing pitched roof dormer window to the flank elevation. At present, it is considered that this dormer window does detract from the appearance of the dwelling, and its removal would result in a less cluttered roof form. To the rear, a new pitched roof dormer window is proposed. Appendix

2 of the Development Management Policies LDD provides guidance on dormer windows and sets out that they should be set down from the ridge, in from both sides and back from the plane of the existing wall. It is viewed that the pitched roof dormer window would comply with this guidance and would not have a significant impact on the appearance of the host dwelling. Two rear rooflights are also proposed and it is acknowledged that these would add some clutter. However, they are of modest size and would not appear unduly prominent or unsympathetic.

- 7.1.12 Alterations to fenestration detail are proposed. To the front elevation, the bay windows would remain unaltered which is welcomed given these are positive characterful features of the dwelling. The application form specifies that the new windows would be aluminium which is considered to be an appropriate material within the Conservation Area. The proportions of the replacement windows to the front elevation and the provision of a new garage door are considered to be appropriate. Whilst more modern bifold doors are proposed to the rear, given their siting, these would not detract from the appearance of the host dwelling. In order to ensure that the works are sympathetic to the existing host dwelling, a condition requiring digital details of all materials including fenestration detail shall be added to any consent.
- 7.1.13 Some concern has been expressed about the chimneys and internal works to these. In response, internal works do not require planning permission and therefore it would be unreasonable to object to the removal of fireplaces internally. The applicant has also advised that the applicant would be retaining the chimney stacks to the left hand side of the dwelling. The chimney to the front located between the gables will also be retained (the chimney breasts will be removed from both the ground and first floor and the stack will be supported at loft level).
- 7.1.14 With regards to demolition, Batchworth Community Council have suggested that a condition requiring a construction management plan to be submitted should be added to ensure the monitoring of demolition works and to ensure the retention of the façade and flank walls of the host dwelling. Given the nature of the works, a condition shall be added requiring a construction method statement to be submitted prior to the commencement of development.
- 7.1.15 In summary, it is considered that the proposed development would be acceptable. The proposals would help to refine the piecemeal nature of the existing dwelling and as such would enhance its appearance within the streetscene and the wider Conservation Area. The development is therefore acceptable and in accordance with Policies CP1 and CP12 of the Core Strategy and Policies DM1, DM3, and Appendix 2 of the Development Management Policies LDD and the provisions of the Moor Park Conservation Area Appraisal (2006).

7.2 Impact on amenity of neighbours

- 7.2.1 Policy CP12 of the Core Strategy advises 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'. Policy DM1 and Appendix 2 of the Development Management Policies LDD are also relevant. Appendix 2 of the Development Management Policies LDD states that 'oversized, unattractive, and poorly sited development can result in loss of light and outlook for neighbours and detract from the character and appearance of the streetscene.
- 7.2.2 The applicant is seeking a new roof form over the existing two storey element located to the north of the dwelling. It is acknowledged that no.4 Pembroke Road is located at a lower land level to the application site. However, the roof form would be hipped, therefore minimising the bulk and massing on the boundary, and this neighbour is set away from the boundary. Consequently, it is not viewed that the development would be unduly overbearing or result in a significant loss of light to this neighbour.

- 7.2.3 It is noted that no.4 has raised objections to the development. Concerns were raised that the green roof form would create a balcony which would result in overlooking to this neighbour. In response the green roof form has been removed, and a condition shall be added preventing the flat roof form from being used as a terrace.
- 7.2.4 The neighbour has also raised concerns with regard to the new windows, and it is assumed that they are referring to the new rear dormer window and rooflights. Whilst it is acknowledged that the rear dormer window would have some outlook towards the rear garden, this would be directed down the garden rather to the private amenity space located closest to the dwelling. In addition, it is not considered that the rear dormer would have a significantly increased impact relative to existing first floor windows. The plans do include the provision of two first floor flank windows facing towards no.4. These are indicated to serve ensuite bathrooms and therefore can be conditioned to be obscure glazed and top vent opening only. A new window would also be added in the flank wall at ground floor level. Given the ground floor nature of the window and the existing level of screening to the boundary, no objections are raised.
- 7.2.5 The plans also include the reduction in width of the existing side extension adjacent to no.8 and no objections are raised in this regard. It is noted that a rear extension is proposed to the existing garage to accommodate a boot room, and in addition a side/rear extension is proposed to accommodate a gym at ground floor level. These proposals would have no impact on no.4 given that these would be screened by the existing dwelling. In addition, it is not considered that the proposed extensions would result in any harm to no.8 given this neighbour is set back relative to the host dwelling and given the single storey nature of the extensions, these would not appear overbearing.
- 7.2.6 The alterations to fenestration detail would have no impact on the residential amenities of neighbouring dwellings.
- 7.2.7 There are no residential neighbours to the rear of the site that would be adversely affected.
- 7.2.8 In summary, given the site circumstances, it is considered that the proposed development would not adversely affect the residential amenities of neighbouring dwellings. The development is considered acceptable and in accordance with Policy CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.
- 7.3 Amenity Space Provision for future occupants
- 7.3.1 The host dwelling has a large rear garden and therefore there would be ample provision for present and future occupiers of the site.
- 7.4 Wildlife and Biodiversity
- 7.4.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive.
- 7.4.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application.
- 7.4.3 The application has been submitted with a Biodiversity Checklist which sets out that the proposed development would not have any impact on protected species or biodiversity interests. In this case, the proposed development would result in roof alterations and

therefore an informative is suggested reminding the applicant of what to do should bats be found to be present during the course of the application.

7.5 Trees and Landscaping

7.5.1 Policy DM6 of the Development Management Policies LDD relates to trees and landscaping. It states that 'development proposals on site which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible, particularly those of local amenity or nature conservation value or hedgerows considered to meet the Hedgerow Regulations 1997.

7.5.2 All trees within the curtilage are also afforded protection due to the Conservation Area Status of the area. It is also noted that there is an existing large Oak Tree located on the frontage which is individually protected (TR (Pembroke Road, Northwood) 2005 and an individually protected tree (T3465 Oak) located at no.8 Pembroke Road . Whilst the works would not directly affect the trees, it is considered necessary to add a condition requiring a tree protection scheme to be submitted prior to the commencement of any development on site.

7.6 Highways, Access and Parking

7.6.1 Policy CP10 of the Core Strategy requires development to demonstrate that it will provide a safe and adequate means of access. Policy DM13 and Appendix 5 of the Development Management Policies LDD requires a dwelling with four or more bedrooms to have three off street car parking spaces.

7.6.2 No alterations are proposed to the existing vehicular accesses to the site. With regard to off street car parking, the site has an existing carriage driveway which would provide provision for three off street car parking spaces in accordance with the requirements of Appendix 5.

8 **Recommendation**

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: ;

6045-PL-010, 6045-PL-011, 6045-PL-012, 6045-PL-013, 6045-PL-014, 6045-PL-020, 6045-PL-200 D, 6045-PL-101-B, 6045-PL-102 B. 6045-103 C, 6045-104 C,

Reason: For the avoidance of doubt, in the proper interests of planning and to maintain the character and appearance of the Conservation Area in accordance with Policies CP1, CP9, CP10 and CP21; 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 Moor Park Conservation Area Appraisal (2006).

- C3 No demolition or works to the roof shall commence on site whatsoever until a Construction & Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority.

This Construction & Demolition Method Statement shall include details of how all existing walls (internally and externally) and roofslopes as shown on the approved drawings to be retained will be maintained throughout the erection of the extensions hereby permitted with only those walls and roofslopes shown on the abovementioned drawings as proposed for demolition to be removed.

The extent of demolition hereby approved shall not be implemented until a contract for the implementation of the works of redevelopment of the site (including submission of the construction drawings) has been made and a copy submitted to and approved in writing by the local planning authority.

Reason: This condition is to safeguard the Conservation Area, to ensure that premature demolition does not take place before adequate provision for development works in order that the visual amenities of the area are safeguarded in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C4 No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) whatsoever shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works, in accordance with a scheme designed in accordance with BS5837:2012, to be submitted to and approved in writing by the Local Planning Authority.

The protective measures, including fencing, shall be undertaken in full accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained as approved until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

Reason: This condition is a pre commencement condition to ensure that no development takes place until appropriate measures are taken to prevent damage being caused to trees during construction and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C5 Before any building operations above ground level hereby permitted are commenced, digital samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

Reason: To prevent the building being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013)

- C6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the flank elevations or roof slopes of the extension/development hereby approved.

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

- C7 Before the first occupation of the extension hereby permitted the window(s) in the first floor flank elevation facing no.4 Pembroke Road shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

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

- C8 The single storey flat roof area to the rear of the dwelling hereby approved shall not be used as an amenity or sitting out space of any kind whatsoever and shall not be used other than for essential maintenance or repair, or escape in case of emergency.

Reason: To ensure that the residential amenities of adjoining occupiers and of the area generally is protected and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and DM9 of the Development Management Policies LDD (adopted July 2013).

8.1 **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 01438 879990 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 (cil@threerivers.gov.uk). 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.

Following the grant of planning permission by the Local Planning Authority it is accepted that new issues may arise post determination, which require modification of the approved plans. Please note that regardless of the reason for these changes, where these modifications are fundamental or substantial, a new planning application will need to be submitted. Where less substantial changes are proposed, the following options are available to applicants:

{\b (a)} Making a Non-Material Amendment

{\b (b)} Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (<https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy>).

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. Further information on how to incorporate changes to reduce your energy and water use is available at: <https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home>

- 12 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 applicant and/or their agent and the Local Planning Authority engaged in pre-application discussions and made amendments during the course of the application which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

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

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

The UK Bat Helpline: 0845 1300 228

Natural England: 0300 060 3900

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

or an appropriately qualified and experienced ecologist.

(As an alternative to proceeding with caution, the applicant may wish to commission an ecological consultant before works start to determine whether or not bats are present).

- 14 The applicant is reminded that any alterations to the boundary treatment would require planning permission.