

Dr R.J. Newell FCI0B FCIM FRSA MRTPI MIOd IMaPS MIED
Chartered Town Planner and Economic Development Consultant

56 Saunderton Vale, Saunderton, High Wycombe, Bucks, HP14 4LJ.
T: 01494 563556 & 01494 568697 M: 078 434 60804 E: bob@rjnewell.co.uk

2nd December 2023

Three Rivers District Council
Planning Department
Development Control
Three Rivers House
Northway
Rickmansworth
Herts
WD3 1RL

Dear Sirs,

10 Lower Plantation, Loudwater, Rickmansworth WD3 4PQ

Section 73 Planning Application TCPA 1990 for:

Amendment to Condition 2 of Planning Permission 23/0801/FUL. The proposed Condition to read:

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

TRDC001 (Location Plan), JFP-LP-01 Rev C, JPF-LP-02 Rev B, JFP-LP-03, JFP-LP-04.

Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3 DM6, DM13, Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013), Policies 1 and 2 of the Chorleywood Neighbourhood Plan (Referendum Version August 2020) and Outer Loudwater Conservation Area Appraisal (Approved March 2007).

Condition 12 currently reads:

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

TRDC001 (Location Plan), JFP-LP-01 Rev A, JPF-LP-02 Rev A, JFP-LP-03, JFP-LP-04.

Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3 DM6, DM13, Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013), Policies 1 and 2 of the Chorleywood Neighbourhood Plan (Referendum Version August 2020) and Outer Loudwater Conservation Area Appraisal (Approved March 2007).

PLANNING STATEMENT

BACKGROUND

- 1.1** Application 23/0801/FUL was Permitted on 17th July 2023. The Permission contains a Condition (2) which, quite properly, specifies the drawings which accompanied the Application.
- 1.2** This Application seeks to substitute the proposals drawings, for subsequent revisions. The amendments are due to the Applicant's instructions to make some amendments to the drawings, as discussed below. These are in respect of the specific practical / technical requirements related to the detailed design of the proposals. It is considered that these, singly or taken as a whole, are acceptable in Planning terms.
- 1.3** The description of the proposal, as agreed with the Council, is: Construction of single storey rear extension and first floor side extension.
- 1.4** This Application involves substitute drawings by Spiritus Design Ltd, reference:
 - JFP-LP-01 Rev C: Proposed Elevations; Site Plan; Roof Plan, and
 - JPF-LP-02 Rev B: Proposed Floor Plan
- 1.5** The substitute drawings proposed to replace Permitted drawings by Spiritus Design Ltd, reference:
 - JFP-LP-01 Rev A: Proposed Elevations; Site Plan; Roof Plan, and
 - JPF-LP-02 Rev A: Proposed Floor Plan
- 1.6** In practical terms, the drawn changes summarise as:
 - Changes to elevational materials and details (particularly the Front Elevation),
 - Change to Front Elevation – moving 1st Floor (only) LH slightly to the left, and
 - Resulting minor dimensional change to the Master Bedroom.
- 1.7** In Submitting a valid Section 73 Application, current Planning Case Law states that the 'description' stated in the Planning Permission must not change.
- 1.8** Nothing in this Application materially changes the Permitted Description.
- 1.9** In making these changes, the Applicant has considered if anything has affected the Council's key considerations in the extant Permission. This has been done by reference to the Case Officer Report.
- 1.10** I consider that the proposal continues to respect all matters as indicated by the Case Officer, in the Case Officer Report.
- 1.11** In particular, I have considered in detail the considerations as stated in the Case Officer Report as regards: *6 Planning analysis*, and in particular, *Impact on Heritage Assets, Character and Street Scene*.
- 1.12** It can be seen that, in terms of the Front Elevation in particular, the proposals introduce high quality materials, which enhance the character and appearance of the subject property.
- 1.13** In terms of the change in dimension at First Floor level, this takes the Master Bedroom very slightly closer to the left side of the Garage, whilst maintaining an effectively acceptable distance to the site boundary.

- 1.14** In terms of Policy CP1 of the Core Strategy, this promotes buildings of a high enduring design quality that respect local distinctiveness. The proposals uphold this intent.
- 1.15** 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'. The proposals very clearly have full regard for all relevant considerations.
- 1.16** The Council states, correctly, that Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) advises that development should not appear excessively prominent within the streetscene. It adds that Appendix 2 sets out that 'oversized, unattractive and poorly sited additions can result in loss of light and outlook for neighbours and detract from the character and appearance of the original dwelling and streetscene'. Additionally, Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not have a significant impact on the visual amenities of an area. In this case, the change in actual development size is virtually imperceptible. In addition, the proposed materials changes reduce the visual impact still further than the Permitted proposals.
- 1.17** The same response applies to the stated 'Design Criteria' at Appendix 2 of the Development Management Policies document, which sets out that new development should not be excessively prominent in relation to the general street scene and should respect the character of the street scene, particularly with regard to the spacing of properties, roof form, positioning and style of windows and doors and materials. This is particularly relevant to the proposals. Here, the increase to one side, at First Floor level is virtually imperceptible, and the materials proposed are ones which would find immediate favour with the Council.
- 1.18** Policy DM43 is particularly relevant, as it stipulates several requirements for development proposals within the Conservation Area, namely that the proposal:
- i) Is of a design and scale that preserves or enhances the character or appearance of the area
 - ii) Uses building materials, finishes, including those for features such as walls, railings, gates and hard surfacing, that are appropriate to the local context
 - iii) Retains historically significant boundaries, important open spaces and other elements of the area's established pattern of development, character and historic value, including gardens, roadside banks and verges
 - iv) Retains and restores, where relevant, traditional features such as shop fronts, walls, railings, paved surfaces and street furniture, and improves the condition of structures worthy of retention
 - v) Does not harm important views into, out of or within the Conservation Area
 - vi) Protects trees, hedgerows and other significant landscape features and incorporates landscaping appropriate to the character and appearance of the Conservation Area
 - vii) Results, where relevant, in the removal of unsympathetic features and the restoration or reinstatement of missing features.
- 1.19** In respect of DM43 i) – the almost imperceptible change in scale has no deleterious effect upon the Conservation Area. The change in design enhances its character and appearance.

- 1.20** In respect of DM43 ii) – the proposed materials and finishes enhance the subject building in terms of its appearance in the Conservation Area.
- 1.21** In respect of DM43 iii) – the proposals in no way change any aspect of the pattern of development, or significant spacing.
- 1.22** In respect of DM43 iv) – this is not relevant.
- 1.23** In respect of DM43 v) – the proposals do not harm any views, important or otherwise.
- 1.24** In respect of DM43 vi) – this is not relevant.
- 1.25** In respect of DM43 vii) – this is not relevant.
- 1.26** In terms of the Chorleywood NP, this is agreed to be relevant. The Council cites Policy 2, which states: *All development should seek to make a positive contribution to the 'street scene' by way of frontage, building line, scale and design.*. The Permitted proposals clearly meet this objective, and the proposed amendments do not change the assessment in any way.
- 1.27** The Council also cites Policy 1, which states: *Development proposals in conservation areas should preserve or enhance the character or appearance of the conservation area and use materials that are appropriate as defined in the relevant conservation area appraisal document.*. The proposals themselves and the materials proposed in the subject design are entirely appropriate in their Conservation Area context.
- 1.28** The Council quotes; The Loudwater Estate, which describes the special character of the Conservation Area as: *'Outer Loudwater Conservation Area has been designated because it forms the attractive and distinctive setting for Loudwater based on the well-wooded valley bordering the River Chess and incorporating low density residential development'*. The proposals pose no threat whatsoever when taken against this description.
- 1.29** In relation to the character of Lower Plantation, the Council cites the Appraisal, which states: *'A relatively modern development of substantial, individual detached houses set in large plots with plenty of space between each of them'*. The proposals make an imperceptible difference in the spacing at First Floor level as between the subject house and its left hand boundary.
- 1.30** The Council's Case Officer Report, at Paras 6.1.9 to 6.1.11 discusses at length the distance at First floor level on the left hand side, to its common boundary. Whether or not the Case Officer Report places undue emphasis on this relationship, in its actual physical context, is a moot point. However, it can reasonably be said that the proposed change in the relationship now proposed is virtually imperceptible, and without question it maintains a sufficient spacing between the first floor flank elevation and neighbouring property to the north that would preserve the open, spacious qualities of Lower Plantation and Conservation Area.
- 1.31** In terms of impact on amenity of neighbours, there is no additional impact proposed.
- 1.32** In terms of amenity space, this is not altered from the Permitted proposals.

1.33 There are no effects on wildlife and biodiversity.

1.34 There are no effects on trees and landscaping.

1.35 There are no effects on parking provision.

Should any further information be needed, can the Council let the Agent know as soon as possible please?

Yours faithfully,

Bob Newell

Dr. R. J. Newell MRTPI