

## THREE RIVERS DISTRICT COUNCIL

At a meeting of the **Planning Committee** held in the Penn Chamber, Three Rivers House, Northway, Rickmansworth, on Thursday 16 November 2017 from 7.30pm to 9.45pm.

Present: Councillors Chris Whately-Smith (Chairman), Sarah Nelmes (Vice-Chairman), Alex Hayward, Phil Brading, Marilyn Butler, Stephen King, Peter Getkahn, Reena Ranger, Chris Lloyd, David Major and Debbie Morris.

Officers: Claire Westwood, Suzanne O'Brien, Lauren Edwards, Julie Hughes and Sarah Haythorpe.

Also in attendance: Councillors Heather Kenison, Angela Killick, Phil Williams and Abbots Langley Parish Councillor Jean Bowman.

50 Members of the Public.

### **PC73/17 APOLOGIES FOR ABSENCE**

None received.

### **PC74/17 MINUTES**

The Minutes of the Planning Committee meeting held on 19 October 2017 were confirmed as a correct record and were signed by the Chairman subject to the following amendments:

PC72/17 - Page 32 the first set of comments by Councillor Debbie Morris to read: "...increase in the percentage of the footprint to plot size from that permitted in the MPPAA of 15% to 21.5 which was nearly half as much again."

Page 33 at paragraph 5 to read "...should consider the application in its entirety and the negative impact it would have on the integrity of the MPPAA."

### **PC75/17 NOTICE OF OTHER BUSINESS**

None received.

### **PC76/17 DECLARATIONS OF INTEREST**

Councillor David Major declared a registrable non-pecuniary interest in agenda item 10 (17/1825/FUL) as a Member of the Abbots Langley Parish Council Planning Committee (as detailed under item 4 on the agenda) but would be entitled to stay and vote as he:

- 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

### **PC77/17 CONSIDERATION OF TREE WORKS APPLICATION 17/1819/TPO, TREES PROTECTED BY THREE RIVERS (HOMEFIELD ROAD, CHORLEYWOOD) TREE PRESERVATION ORDER 2012**

The Principal Landscape Officer reported an amendment in paragraph 2.1 the word confirmation in the second line to read modification. In paragraph 2.10 the words "to remove the one large dangerous one" to be deleted.

The Committee had received the TPO plan and the application plan. On the application plan the group of trees at G4 were the trees the application referred to. In the TPO plan the application referred to the trees at G20/G21 and a small part of G19. The trees would be replaced with a typical mix of replanting to mimic the current hedgerow.

Councillor Marilyn Butler said this was a mature hedgerow and was very significant to the area.

Councillor Alex Hayward asked who was maintaining the hedgerow now and who owned the hedge. Could the Council accept an application from anyone? The Principal Landscape Officer advised the application had been submitted by an agent on before of the applicant. One of the conditions required that the hedge would need to be maintained for a five year period as detailed in Condition (F).

Councillor Phil Brading said the hedge had historical value and the replanting and maintenance for 5 years had to be maintained. The Parish Council could take over the maintenance after the 5 years. It was important to include a condition on the management of the hedge. If the land was privately owned a detailed management plan would be required to ensure protection of the hedge.

Councillor Peter Getkahn said the hedge had an important function as a buffer between the road and the houses.

Chorleywood Parish Council were concerned that Conservation Officer advice had not been included in the report. There was a duty of care to protect the hedge which was over 800 years old.

In accordance with Council Procedure Rule 35 (B) Mr Challis spoke against the TPO.

The Principal Landscape Officer said it had been identified that the trees were dangerous or had died and should be removed but this excluded the Ash trees.

Councillor Reena Ranger said the condition should reflect the diversity of the hedge there today. The Principal Landscape Officer said consent had already been given in 2009 to carry out works to the hedgerow. Normally Officers would expect to see a mix of shrubs in the hedge and this proposal would achieve that.

Councillor Marilyn Butler said digging out of the bank would create soil erosion which could compromise the new planting. The Principal Landscape Officer said a similar bank existed when previous replanting took place. The applicant was not looking to remove the embankment.

Councillor Phil Brading noted the bank was mentioned in paragraph 3.2(v). The hedge had a historical significance and was the boundary of the ancient kingdoms. It was important that embankment was retained.

Councillor Chris Whately-Smith asked if a Condition could be added that the embankment be retained.

Councillor Phil Brading said the replanting should be native and mature plants and there should be an ongoing management plan in place. The Principal

Landscape Officer said it was proposed that 4 standard maple trees would be planted which were smaller trees but would establish more quickly.

As to the ownership of the hedge the Principal Landscape Officer said a land registry search could be completed but there was no requirement to do this with the application.

Councillor Alex Hayward said the applicant had no legal responsibility to maintain the hedge. The hedge was a community asset and the Council should know the credentials of the applicant. The telegraph pole should be protected if permission was given.

Councillor Heather Kenison raised concerns about the proposed works to the hedge and the requirement to ensure its protection for the future.

Councillor Chris Lloyd asked if the application could be deferred to the January meeting. In the meantime, the applicant could remove the dangerous trees from the hedge over that period. The Principal Landscape Officer said the applicant could appeal on the grounds of non-determination. If the TPO was agreed and the applicant did not undertake the replanting a condition could be included to issue a tree order.

Councillor Phil Brading moved recommendation, seconded by Councillor Peter Getkahn, to grant the TPO with additional conditions regarding a detailed implementation plan, detailed management plan, clarification on the ownership and density and an informative on the pole.

On being put to the committee the motion was declared carried the voting being 9 For, 2 Against and 0 Abstentions.

**RESOLVED:**

That permission is granted to remove all of the trees in Group 4 with the exception of the two Ash trees, and that the following conditions are imposed (the wording having been agreed by the Committee after the meeting):

1. All work must be carried out in accordance with British Standard 3998: 2010 Tree Work – Recommendations.
2. The two ash trees are retained and their root protection areas are protected by a scheme to be submitted and agreed prior to the commencement of works. This scheme shall include a plan showing the location and specification for protective fencing and any other measures for ensuring adequate protection of the Root Protection Area (RPA) of the two Ash trees.
3. That a replacement planting scheme is implemented in accordance with the Patrick Stileman Tree and Hedgerow Management Plan Rev A dated 25<sup>th</sup> August 2017 and comprising a hedgerow mix of 50% Hawthorn, 20% Blackthorn, 10% Field Maple, 10% Hazel, 5% Dog Rose and 5% Guelder Rose and four standard Field Maple trees (with a stem girth of 10-12cm) at locations which will allow them to grow to maturity, however which will not look too evenly spaced to appear regimented. The native hedgerow shall be planted as a double staggered row at a density of not less than 5 plants per meter, with approximately 500mm between plants in the same row. The transplants to be used shall be 40-60cm in height.

4. Weed competition shall be suppressed by a woven geotextile membrane laid on the ground surrounding the new plants, with 10cm depth of woodchip spread on top of this.
5. Each transplant shall be protected by the installation of spiral guards at the time of planting to mitigate damage from browsing mammals.
6. All planting comprised in the approved details of landscaping shall be carried out in the first planting season (November to March) following the completion of works. Any trees or plants that die, are removed or become seriously damaged or diseased, within a period of 5 years of completion shall be replaced within the next planting season with others of similar size and species.

Informatives:

- 1) The applicant is advised that any works are permitted are limited to the provisions of the Town and Country Planning Act and you are referred to the owner of the trees in the event that they are not in your ownership. If you intend to work on trees which are not owned by yourselves, and you are pruning back further than your boundary or require access to a third party's property to carry out these works, then you will be required to seek the owner's permission.
- 2) The applicant is advised to take account of the impact of the proposed works and the impact this may have on telecommunication equipment (telegraph pole) in the vicinity. You should advise the statutory undertaker as necessary.

**PC78/17 17/1750/FUL – Erection of detached two storey building with lower ground floor level to provide two flats including alterations to existing building and associated parking and amenity space provision at 2A BERKS HILL, CHORLEYWOOD, HERTS, WD3 5AQ for Mr Alex Minashi**

In accordance with Council Procedure Rule 35 (B) Mr Bishop spoke against the application and Mr J Grzbie-lucia spoke in support of the application.

Councillor Chris Whately-Smith said having been on the site visit and understanding the scale of the plans it would be difficult to reverse a car out of the site.

Councillor Sarah Nelmes stated that on the site visit two cars had to reverse out of the site making it very clear that the residents living in the flats facing the site would be very unhappy. The development would be very close to them and would be overbearing, contrived and would affect the amenity of the other properties which was contrary to the Council's Policies.

Councillor Peter Getkahn said having been on the site visit this would be overdevelopment of the site. There were already parking difficulties and the application had been badly thought out. He moved refusal of the application, seconded by Councillor Debbie Morris, on the grounds of a contrived form of development, overbearing impact, effect on the amenity of the other properties and overdevelopment.

Councillor Chris Whately-Smith said the site was in a town centre location and the lack of parking could not be substantiated due to the town centre location. The courtyard layout was contrived and would facilitate overlooking.

Councillor Reena Ranger said there would be four spaces for five flats which backed onto a communal track and the track would end up being used as a car park for the flats.

On being put to the Committee the motion that planning permission be refused on amenity grounds due to the contrived nature of the development, overbearing, un-neighbourly development and overlooking the exact wording to the be circulated to the Committee after the meeting was declared CARRIED the voting being unanimous.

RESOLVED:

That PLANNING PERMISSION BE REFUSED for the following reason:-

- R1 The proposed development by virtue of its scale, siting and design would result in a contrived, un-neighbourly and overbearing form of development as experienced by existing residents of flats 2a, 2b and 2c. The development would also result in overlooking of these existing properties resulting in a loss of privacy for occupiers to the detriment of their residential amenity. The proposal would therefore be contrary to Policies CP1, CP3 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

Informative:

- I1 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 has considered, in a positive and proactive manner, whether the planning objections to this proposal could be satisfactorily resolved within the statutory period for determining the application. Whilst the applicant and the Local Planning Authority engaged in pre-application discussions, the proposed development fails to comply with the requirements of the Development Plan and does not maintain/improve the economic, social and environmental conditions of the District.

**PC79/17 17/1756/FUL – Subdivision of the site, demolition of existing detached garage and construction of detached dwelling and replacement garage at OLD MEADOWS, DOG KENNEL LANE, CHORLEYWOOD, RICKMANSWORTH, WD3 5EL for Mr and Mrs Gareth and Pauline Hunt.**

Councillor Reena Ranger said in principle the development was acceptable but the new garage should be built in the same materials to match the house (red brick). Having the garage located at the front of the property would mean it should be screened by the hedge but if the hedge was removed it would be an obtrusive building which could be viewed on the narrow road and the common. The Planning Officer stated that Condition C8 on page 47 required details to be submitted but an Informative could be added in conjunction with Condition C8 to request that the proposed materials reflect the existing dwelling Old Meadows and not the existing garage to be demolished. The garage would be positioned around the back and could only be viewed if the hedge was removed.

Councillor Sarah Nelmes said she would not want to see the wooden building in its current size and bulk and the materials should match the existing house to reduce the impact on the area.

Councillor Debbie Morris said the brick colour of the original building of Old Meadows should be matched.

Councillor Peter Getkahn had no issue with the development, just the materials to be used.

Councillor Chris Lloyd moved, seconded by Councillor Chris Whately-Smith, the recommendation that planning permission be granted subject to conditions, with an additional informative regarding materials to read in conjunction with Condition C8 requesting that proposed materials reflect the existing dwelling Old Meadows (the existing garage to be demolished).

In accordance with Council Procedure Rule 35 (B) Mr Hunt spoke in support of the application.

On being put to the Committee the motion was declared CARRIED the voting being unanimous.

RESOLVED:

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: TRDC001 (Location Plan), TRDC002 (Block Plan), TRDC003 (Patio), TRDC004 (Existing Elevations), TRDC005 (Proposed Elevations), TRDC006 (Proposed Side Elevations), TRDC007 (Proposed Floor Plans), TRDC008 (Proposed Floor and Roof Plan), TRDC009 (Street Scene), TRDC10 (Proposed Garage), TRDC11 (Proposed Garage Elevations), TRDC12 (Existing Block Plan), TRDC13 (Proposed Block Plan).

Reason: For the avoidance of doubt, to protect the Conservation Area and in the proper interests of planning in accordance with Policies PSP2, CP1, CP2, CP3, CP4, CP8, CP9, CP10 and CP12 of

the Core Strategy (adopted October 2011), Policies DM1, DM3, DM4, DM6, DM8, DM10 and DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and The Chorleywood Common Conservation Area Appraisal (adopted February 2010).

- C3 No development shall take place before a method statement for construction of the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. The construction works shall be carried out in accordance with the approved method statement.

Details submitted in respect of the method statement, incorporated on a plan, shall provide for wheel cleaning facilities, excavation, site preparation and construction stages of the development. The method statement shall also include details of the provision of parking facilities for contractors during all stages of the development (excavation, site preparation and construction) and the provision of a means of storage and/or delivery for all plant, site huts, site facilities and materials.

Reason: This condition is a pre commencement condition to ensure that no obstructions to the public highway occur during the construction period, in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

- C4 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows which are to be retained.

All hard and soft landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted. All soft landscaping works required by the approved scheme shall be maintained, including the replacement of any trees or plants which die, are removed or become seriously damaged or diseased for a period for five years from the date the approved scheme was completed. Replacements should be planted during the next planting season with others of a similar size or species, unless the Local Planning Authority gives written consent to any variation.

Reason: This condition is a pre commencement condition in the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C5 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) 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 to be submitted to and approved in writing by the Local Planning Authority. The plans and particulars shall be prepared in accordance with BS: 5837 (2012) 'Trees in relation to design, demolition and construction'

The protective measures, including fencing, shall be undertaken in 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 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, without the written consent of the Local Planning Authority. 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 in order to protect the visual amenities of the trees, area 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).

- C6 No development or other operation shall commence on site until a method statement has been submitted to and approved in writing by the Local Planning Authority. This method statement shall include details of tree protection measures, timetables of works, method of demolition, removal of material from the site, importation and storage of building materials on the site, details and depths of underground service routes, methods of excavation and construction methods, in particular where they lie close to trees. The construction methods to be used shall ensure the retention and protection of trees, shrubs and hedges growing on or adjacent to the site. The development shall only be implemented in accordance with the approved method statement.

The fencing or other works which are part of the approved scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained.

Reason: This condition is a pre commencement condition in order to protect the trees, area and to meet the requirements of Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C7 Prior to commencement of the development hereby permitted, an Energy Statement demonstrating energy saving measures for the development to achieve 5% less carbon dioxide emissions than Building Regulations Part L requirements (2013) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the development and permanently maintained thereafter.

Reason: This condition is a pre commencement condition in order to ensure that the development will meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM4 of the Development Management Policies LDD (adopted July 2013) and to make as full a contribution to sustainable development principles as possible.

- C8 Before any building operations above ground level hereby permitted are commenced, 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 Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).
- C9 Prior to occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected prior to occupation in accordance with the approved details and shall be permanently maintained as such thereafter.
- Reason: To ensure that appropriate boundary treatments are proposed to safeguard the amenities of neighbouring properties and the character of the locality 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).
- C10 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 north and south 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).
- C11 The roof lights hereby permitted shall be positioned at a minimum internal cill height of 1.7m above the internal floor level.
- 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).
- C12 Immediately following the implementation of this permission, 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 development within the following Classes of Schedule 2 of the Order shall take place.
- Part 1  
Class A - enlargement, improvement or other alteration to the dwelling  
Class C - alteration to the roof  
Class E - provision of any building or enclosure  
Class F - any hard surface
- Part 2

Class A - erection, construction, maintenance or alteration of a gate, fence, wall or other means of enclosure

No development of any of the above classes shall be constructed or placed on any part of the land subject of this permission.

Reason: To ensure adequate planning control over further development having regard to the limitations of the site and neighbouring properties and in the interests of the visual amenities of the site and the area in general, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C13 No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity. The lighting shall be installed in accordance with the approved details before the use commences.

Reason: To maintain wildlife habitat and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C14 The provision of artificial bat roosting features (i.e. bat access tiles/bat access ridge tiles) on the roof of the new residential property should be included within the development plans to enhance the value of the site for bats. These should be inserted into the fabric of the building during construction and should be positioned as high as possible, close to the eaves.

Reason: To maintain wildlife habitat and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 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 £97 per request (or £28 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at [buildingcontrol@hertfordshirebc.co.uk](mailto: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](http://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 stipulates that construction activity (where work is audible at the site boundary) 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.
- 14 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: 0845 6014523

Herts & Middlesex Bat Group: [www.hmbg.org.uk](http://www.hmbg.org.uk)

(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. A list of bat consultants can be obtained from Hertfordshire Ecology on 01992 555220).

- 15 Keep any areas of grass as short as possible up to, and including, the time when the works take place so that it remains unsuitable for amphibians to cross. Stored building materials (that might act as temporary resting places) are raised off the ground e.g. on pallets or batons. Trenches should be provided with a means of escape for any animals that may have become trapped. This is particularly important if the trench fills with water. In the event that a Great crested newt is encountered during works, construction must stop immediately and ecological advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England: 0300 060 3900.
- 16 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
- 17 Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047
- 18 Guidance to be read in conjunction with Condition 8 (Materials): In the interest of the character and appearance of the Conservation Area it is considered appropriate that the proposed materials to be submitted for approval reflect those of the existing building Old Meadows (and not the existing garage to be demolished).

**PC80/17 17/1787/FUL – Erection of two detached chalet bungalows including alterations to land levels and alterations to existing parking area serving numbers 1, 2, 3, 4, 5 and 6 Clovers Court AT LAND AT THE REAR OF CLOVERS COURT, CHORLEYWOOD, HERFORDSHIRE, for Ms Emma Fitzgibbon**

The Planning Officer reported that on page 51 the application heading refers to the application being for Velux Homes. This was the agent and it should be stated that the application was for the applicant Ms Emma Fitzgibbon. This was as stated in the list of applications at the start of the agenda. In Paragraph 8.1.5 page 61 in the second line the application reference should be 10/0703/FUL.

Councillor Alex Hayward wanted to compare the pictures of this application and the application that was allowed at appeal. The Planning Officer stated that there were no dormer windows in the previous application which was the subject of the appeal decision. The depth of the roof had increased but would have a shallower roof pitch.

Councillor Alex Hayward read out the Appeal Inspectors decision with reference to dormer windows. The Planning Officer said at paragraph 8.2.7 of the report it stated that the Appeal Inspector had imposed conditions removing permitted development rights when granting planning permission in September 2016. This would provide some control of the site but would not stop the applicant from putting in a planning application which would be assessed on its merits.

Councillor Debbie Morris said the Appeal Inspector had granted planning permission providing there were no dormer windows but Officers were now allowing dormer windows. The Planning Officer stated that they were of the opinion that the Inspector was not saying the applicant could not have dormer windows as they had not formed part of the scheme that they were considering, but had removed permitted development rights so the applicant needed to submit a planning application. Officers had considered the impact of the dormer windows on the other properties and had considered they would be acceptable for the reasons set out in the report.

Councillor Reena Ranger asked about the floor plans of the bungalows as detailed on page 67 of the agenda. The amenity area for residents had not been honoured. Officers advised that amenity space standards were met.

Councillor Chris Whately-Smith said there should be a condition added preserving the parking and turning area for existing residents during the construction, although he noted that the proposed parking arrangements for the bungalows would exceed the Council's parking requirements.

The Planning Officer stated that Condition C3 would require a Construction Management Plan to be submitted and further wording could be added to the Condition regarding the parking of construction vehicles to enable the residents at 1-6 Clover Court to park during the construction.

Councillor Phil Brading supported the objections made. The Committee had refused the previous application but the Appeal Inspector had granted permission for the two bungalows. The variances on this application were that the footprint was larger and the bungalows now included dormer windows which would impact on the residents of Clover Court and Rendlesham Way.

Councillor Chris Whately-Smith moved the recommendation to grant planning permission with the amendments suggested.

Councillor Reena Ranger referred to the condition on the amenity area for residents. Councillor Chris Whately-Smith said the current application and the previous appeal decision had not raised any issues on the amenity space to be provided as it met all the requirements.

Councillor Peter Getkahn said the dwellings would now be 3 metres back which meant there would be a lack of usable amenity space. The Planning Officer advised that both the applications had exceeded the amenity space standards as it would include the terrace and L-shaped space. The patio and grass area were both usable amenity space.

Councillor Sarah Nelmes said the Inspector had accepted the bungalows but this application changed the size of the bungalows to include dormer windows which would overlook the other properties and would create a 5 bedroom dwelling. The proposed amenity space was not usable space.

Councillor Alex Hayward said the original scheme accepted by the Appeal Inspector did not include a second floor.

Local Ward Councillor Angela Killick said the residents in Clover Court said the bungalows would do nothing to improve the courtyard. The site had been a nightmare and residents were frustrated with the continued ongoing works which had blighted them for years. They just wanted the development finished.

Councillor Alex Hayward moved, seconded by Councillor Peter Getkahn, that planning permission be refused due to the impact of the dormer windows, overdevelopment of the site, lack of usable amenity space, overbearing and overlooking.

Councillor Chris Lloyd asked if the dormer windows could be obscured glass. The Planning Officer advised that obscure glass could be used for the dressing room but would not advise for the bedroom windows.

Local Ward Councillor Phil Williams said the residents of Clover Court must have the parking maintained during any construction. The Planning Officer advised that to comply with parking standards the parking during the construction would be safeguarded for the residents.

On being put to the Committee the motion that Planning Permission be Refused on the groups relating to overdevelopment, impact of dormer windows on neighbouring amenity, overbearing/overlooking and lack of usable amenity space (the exact wording to be circulated to the Committee for approval) was declared CARRIED the voting being 8 For, 1 Against and 2 Abstentions.

RESOLVED:

That PLANNING PERMISSION BE REFUSED for the following reason:

- R1 The proposed development would represent overdevelopment with the proposed dormer windows resulting in an overbearing and un-neighbourly form of development and would overlook neighbouring dwellings to the detriment of their residential amenity. The proposed development would also fail to provide sufficient usable amenity space for future occupiers. The proposal would therefore be contrary to Policies CP1, CP3 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

Informative:

- I1. The Local Planning Authority has been positive and proactive in considering 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. Whilst the applicant and the Local Planning Authority discussed the scheme during the course of the application, the proposed development, as amended, fails to comply with the requirements of the Development Plan and does not maintain/improve the economic, social and environmental conditions of the District.

**PC81/17 17/1813/FUL - Demolition of dwelling and erection of two detached dwellings with associated parking and landscaping at SARACENS COTTAGE, 107 QUICKLEY LANE, CHORLEYWOOD, RICKMANSWORTH, WD3 5PG for Mr M Brown**

The Planning Officer reported that paragraph 8.2.6 should be updated so that the last sentence would read '... and would not appear excessive in height relative to neighbouring properties.'

Councillor Phil Brading moved, seconded by Councillor Chris Whately-Smith, that planning permission be approved subject to conditions.

On being put to the Committee the motion was declared CARRIED the voting being unanimous.

RESOLVED:

That PLANNING PERMISSION BE APPROVED subject 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: 17-08-01, 2017-08-02, 2017-08-03, AC17-2102-B, AC17-2103-B.

Reason: For the avoidance of doubt and in the proper interests of planning and in accordance with Policies PSP2, CP1, CP2, CP3, CP4, CP6, CP8, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM4, DM6, DM7, DM10, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

- C3 The development shall not be occupied until the energy saving and renewable energy measures detailed within the Energy Statement submitted as part of the application are incorporated into the approved development. Full details of any renewable technologies required to be installed shall be submitted to and approved in writing by the Local Planning Authority prior to their installation and works shall be carried out in accordance with the approved details.

Reason: To ensure that the development meets the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM4 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

- C4 Before above ground building operations hereby permitted are commenced, 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 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).

- C5 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) 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 to be submitted to and approved in writing by the Local Planning Authority.

The protective measures, including fencing, shall be undertaken in 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 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 prevent damage 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).

- C6 Before the first occupation of the building/extension hereby permitted the first floor flank windows within the north eastern side elevation of 'plot a' and south western side elevation of 'plot b' 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 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).

- C7 The development shall not begin until full details of all proposed construction vehicle access, movements and parking arrangements have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan and the approved details shall be implemented throughout the construction programme.

Reason: This is a pre commencement condition to minimise danger, obstruction and inconvenience to users of the highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

- C8 Prior to the commencement of the development hereby permitted full details (in the form of a swept path analysis) of the parking bays and access shall be submitted to demonstrate that parked vehicles are able to turn around on site and egress to the highway in forward gear. This parking

area shall be levelled, surfaced and drained in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority and retained thereafter available for that specific use.

Reason: This is a pre commencement condition to minimise danger, obstruction and inconvenience to users of the highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

- C9 Prior to the first occupation of the development hereby permitted, a visibility splay measuring 2.4m x 11m shall be provided to the south-west of the access where it meets the highway and such splay shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: This is a pre commencement condition to minimise danger, obstruction and inconvenience to users of the highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

- C10 The development shall not be occupied until a scheme for the separate storage and collection of domestic waste has been submitted to and approved in writing by the Local Planning Authority. Details shall include siting, size and appearance of refuse and recycling facilities on the premises. The development hereby permitted shall not be occupied until the approved scheme has been implemented and these facilities should be retained permanently thereafter.

Reason: To ensure that satisfactory provision is made, in the interests of amenity and to ensure that the visual appearance of such provision is satisfactory in compliance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM10 and Appendix 2 of the Development Management Policies document (adopted July 2013).

- C11 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development.

All hard landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted. All soft landscaping works required by the approved scheme shall be carried out in accordance with a programme to be agreed before development commences and shall be maintained including the replacement of any trees or plants which die are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species for a period for five years from the date of the approved scheme was completed.

Reason: This is a pre-commencement condition in the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 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 £97 per request (or £28 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Information and application forms are available at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk). Alternatively the Council's Building Control section can be contacted on telephone number 01923 727130 or email [building.control@hertfordshirebc.gov.uk](mailto:building.control@hertfordshirebc.gov.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. Information on this is also available from the Council's Building Control section. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- 12 The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site boundary) 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 submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

- 14 The applicant is reminded that the removal or severe pruning of trees should be avoided during the bird breeding season (March to August inclusive [Natural England]) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than 3 days in advance of vegetation clearance and if active nests are found, works should stop until the birds have left the nest.
- 15 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](http://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. A list of bat consultants can be obtained from Hertfordshire Ecology on 01992 555220).

- 16 The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
- 17 The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047

**PC82/17 17/1825/FUL – Demolition of existing dwelling and builders yard buildings and redevelopment of the site with four detached dwellings and associated gardens and car parking with access to the dwellings via existing entrance**

**to site from Toms Lane at THREE ACRES, TOMS LANE, KINGS LANGELY, HERTS, WD4 8NA for Mr Phil Longuehaye**

The Planning Officer reported that concerns were raised over the impact of the submitted scheme on a large mature Oak tree situated off site. Prior to the revised plans being received a Tree Preservation Order was prepared. The TPO Protects four Oak, one Beech and one Sycamore and will ensure that these trees become a material consideration in this and any future planning application on the site.

The Landscape Officer had confirmed that following the amendments to the scheme revised Arboricultural Impact Assessment and Method Statements for tree protection and tree pruning will need to be secured through Conditions if planning permission is granted. The Landscape Officer therefore recommends consent of the revised application subject to conditions including the submission of a Hard and Soft Landscaping Scheme, Tree Protection Scheme and Arboricultural Method Statement. These conditions would supersede suggested Conditions 11 and 12 on pages 116 and 117.

An amended Bat Mitigation Strategy has also been received. Herts Ecology confirmed that the LPA now has enough information to fully consider the impact of the proposal on bats. Herts Ecology therefore raised no objections subject to a condition requiring further surveys to be carried out.

Amended plans have been received stating the following:

- In accordance with paragraph 8.5.6 on page 10 which states that amended plans have been requested the plans have been amended removing the balcony and window along the south east elevation facing No.3a to protect this neighbouring property from overlooking;
- Following consultation with the Landscape Officer the plans have been amended re-siting the building and retaining wall of House 3 5m further away from the north west boundary to ensure the development would not have an adverse impact on the neighbouring Oak tree which has now been protected. Following this amendment the Officers report at paragraph 8.3.10 on page 106 should be amended as the distance separating the first floor flank elevations of House 2 and House 3 would now be 15.3m rather than the 20m as previously proposed. This would result in a reduced separation between the proposed buildings however it is not considered that the re-siting of House 3 would result in any greater harm to the openness of the site or Green Belt than in comparison to the existing situation.

Following receipt of the amendments Condition 2 on page 114 would need to be revised to include the amended plans:

C2The development hereby permitted shall be carried out in accordance with the following approved plans: EX-100 Rev P1, EX-120 Rev P1, EX-121 Rev P1, 100 Rev P2, 101 Rev P2, 110 Rev P4, 111 Rev P4, 112 Rev P4, 120 Rev P4, 121 Rev P4.

Reason: For the avoidance of doubt, to protect the character of the area and amenities of neighbouring properties and in the proper interests of planning in accordance with Policies CP1, CP2, CP3, CP4, CP6, CP8, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2, DM3, DM4, DM6, DM7, DM8, DM9, DM10 and DM13 and Appendices 2, 4 and 5 of the Development Management Policies LDD (adopted July 2013).

Councillor Peter Getkahn referred to the comments at Paragraph 4.2.3 of report with regard to highways and emergency vehicle access. The Planning Officer advised that originally Highways had recommended refusal of the application but had not taken into account the use of the site as an intensive commercial site. The change of use would actually reduce the number of vehicles. Highways had now received additional information on the development and had withdrawn their objection.

Councillor Chris Whately-Smith moved, seconded by Councillor Stephen King, that planning permission be granted subject to conditions.

Councillor Phil Brading said although the vehicle movements may be less than the commercial use of the site the nature of the movements would be more conflicting bearing in mind the narrowness of the access. He asked if a running total could be provided on the number of one, two, three, four and five plus units which had been built and the information circulated to the Committee.

The Planning Officer said there had been access improvements along Toms Lane.

Councillor Debbie Morris had concerns about the emergency vehicle access and not just the width of the access from Toms Lane but the distance from the pump. She also asked what materials had been stored on the site. The Planning Officer stated that fire access was covered under Building Regulations and it was not possible to refuse the application for this reason. A condition had been included with regard to the access and contamination.

Councillor Reena Ranger said the Parish Council had raised an issue with the pedestrian footpath and the safe passage of the pedestrians to the properties on the site.

In accordance with Council Procedure Rule 35 (B) Mr Osman spoke in support of the application.

The Planning Officer advised that Condition C2 could be updated with regard to the plans and additional conditions added with regard to landscaping, tree protection and arboricultural method statement to replace conditions C11 and C12. Additional conditions to be added with regard to Bat migration and contamination.

On being put to the Committee the motion with the proposed amendments was declared CARRIED the voting being unanimous.

RESOLVED:

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: EX-100 Rev P1, EX-120 Rev P1, EX-121 Rev

P1, 100 Rev P2, 101 Rev P2, 110 Rev P4, 111 Rev P4, 112 Rev P4, 120 Rev P4, 121 Rev P4.

Reason: For the avoidance of doubt, to protect the character of the area and amenities of neighbouring properties and in the proper interests of planning in accordance with Policies CP1, CP2, CP3, CP4, CP6, CP8, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2, DM3, DM4, DM6, DM7, DM8, DM9, DM10 and DM13 and Appendices 2, 4 and 5 of the Development Management Policies LDD (adopted July 2013).

C3 Prior to the commencement of the development hereby permitted full details (in the form of scaled plans and/or written specifications) shall be submitted and approved in writing by the Local Planning Authority to illustrate the following:

- Confirm permission for and relocation position of existing telegraph pole.
- The provision of a minimum 1.5m wide footway following the cut-back of the highway verge fronting 3a Toms Lane.
- Provision of a convex safety mirror within the site boundary on the north-east corner entering the site.
- Reconstruction / resurfacing of the access bellmouth to deliver a stable surface with a suitable skidding resistance.

Reason: This condition is a pre commencement condition in the interests of highway safety in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

C4 The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan and the approved details are to be implemented throughout the construction programme.

Reason: This condition is a pre commencement condition in the interests of highway safety in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

C5 Prior to the first occupation of the development hereby permitted the proposed highway and access improvements shall be completed in accordance with the approved plan and retained thereafter available for that specific use.

Reason: In the interests of highway safety in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

C6 Before any building operations above ground level hereby permitted are commenced, 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 Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C7 The parking and turning spaces shall be constructed in accordance with the approved plans prior to the first occupation of any part of the development hereby permitted other than in accordance with a phasing plan which shall previously have been agreed in writing with the Local Planning Authority. The parking and turning spaces shall thereafter be kept permanently available for the use of residents, employees and visitors to the site.

Reason: To ensure that adequate off-street parking and manoeuvring space is provided within the development so as not to prejudice the free flow of traffic and in the interests of highway safety on neighbouring highways in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

- C8 Immediately following the implementation of this permission, 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 development within the following Classes of Schedule 2 of the Order shall take place.

#### Part 1

Class A - enlargement, improvement or other alteration to the dwelling

Class B - enlargement consisting of an addition to the roof

Class C - alteration to the roof

Class E - provision of any building or enclosure

Class F - any hard surface

#### Part 2

Class A - erection, construction, maintenance or alteration of a gate, fence, wall or other means of enclosure

No development of any of the above classes shall be constructed or placed on any part of the land subject of this permission.

Reason: To ensure adequate planning control over further development having regard to the limitations of the site and neighbouring properties and in the interests of the visual amenities of the site and the area in general, in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1, DM2 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C9 No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity. The lighting shall be installed in accordance with the approved details before the use commences.

Reason: In the interests of visual amenity and biodiversity and to meet the requirements of Policies CP1, CP, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2, DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

- C10 Should they be required, detailed proposals for fire hydrants serving the development as incorporated into the provision of the mains water services for the development, whether by means of existing water services or new mains or extension to or diversion of existing services or apparatus, shall be submitted to and approved in writing by the Local Planning Authority

prior to the occupation of development. The development shall thereafter be implemented in accordance with the approved details prior to occupation of any building forming part of the development.

Reason: To ensure that there is adequate capacity for fire hydrants to be provided and to meet the requirements of Policies CP1 and CP8 of the Core Strategy (adopted October 2011).

- C11 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development.

All hard landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted. All soft landscaping works required by the approved scheme shall be carried out in accordance with a programme to be agreed before development commences and shall be maintained including the replacement of any trees or plants which die are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species, for a period for five years from the date of the approved scheme was completed.

Reason: This condition is a pre commencement condition in the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C12 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) 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 to be submitted to and approved in writing by the Local Planning Authority.

The protective measures, including fencing, shall be undertaken in 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 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 prevent damage 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).

- C13 No development or other operation shall commence on site until a scheme (herein called the Approved Method Statement of Arboricultural Works

Scheme) which indicates the construction methods to be used in order to ensure the retention and protection of tree, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the Local Planning Authority.

No operations shall commence on site in connection with the development hereby approved (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) until the tree protection works required by the approved scheme are in place on site.

The fencing or other works which are part of the approved scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site.

Reason: This condition is a pre commencement condition to ensure that the protected trees are not affected during construction of the development hereby permitted, in the interests of visual amenity and in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C14 If during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed development will not cause pollution of the environment or harm to human health, in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

- C15 Prior to the commencement of the development, hereby approved, one dusk emergence / dawn re-entry surveys should be undertaken during May - August inclusive (possibly September if the weather remains warm) to determine with confidence whether bats are roosting and, should this be the case, the Outline Mitigation strategy should be modified as appropriate based on the results and then be submitted in writing to the Local Planning Authority. Thereafter the development shall be carried out in accordance with these approved details.

Reason: This condition is a pre commencement condition to ensure to ensure that any protected species are safeguarded and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C16 Prior to the first occupation of the building hereby permitted, the measures detailed within the submitted Energy Statement shall be incorporated into the approved development.

Reason: To ensure that the development meets the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM4 of the Development Management Policies LDD (adopted July 2013) and to make as full a contribution to sustainable development principles as possible.

Informatives:

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

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £97 per request (or £28 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at [buildingcontrol@hertfordshirebc.co.uk](mailto: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](http://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.

- I2 The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site boundary) 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 applicant and the Local Planning Authority engaged in pre-application discussions

which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

- 14 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: 0845 6014523

Herts & Middlesex Bat Group: [www.hmbg.org.uk](http://www.hmbg.org.uk)

(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. A list of bat consultants can be obtained from Hertfordshire Ecology on 01992 555220).

- 15 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

- 16 Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047

- 17 Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the

applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047

**PC83/17 17/1870/FUL – Variation of conditions 2 (Approved Plans) and 5 (Phasing) of planning permission 15/1650/FUL to amend phasing and remove the ‘Dry Zone’ at THE BOATHOUSE BURY LAKE, THE AQUADROME, FROGMOOR LANE, RICKMANSWORTH, HERTFORDSHIRE for Bury Lake Young Mariners**

The Planning Officer reported an update on page 129 of the agenda papers with regard to Condition 1 which had been updated to read as follows:

C1 The development hereby permitted shall be begun before 2 October 2018.

Condition 13 (page 132) should also be updated as details of surface water drainage have been submitted and agreed. The condition as updated would require implementation in accordance with the approved details.

The development hereby permitted shall not be brought into use until the surface water drainage works have been implemented in accordance with plan number 7700/04A and details approved under application 16/1601/DIS. The surface water drainage methods shall be permanently maintained as such thereafter.

Reason: To prevent pollution of the water environment and provide a sustainable system of water drainage and management to meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013).

Councillor Debbie Morris moved, seconded by Councillor Alex Hayward, that planning permission be granted subject to conditions.

On being put to the Committee the motion was declared CARRIED the voting being unanimous.

RESOLVED:

That PLANNING PERMISSION BE GRANTED, subject to the following conditions:-

C1 The development hereby permitted shall be begun before 23rd October 2018.

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: 152003-D-01-B, 152003-D-02, 152003-D-03-K, 152003-D-04-G, 152003-D-05-D, 152003-D-07-E, 152003-D-09-D, 152003-D-10-D, 152003-D-11-C, 152003-D-12-B, 152003-D-13-A, 152003-D-15-A, 152003-D-16-C, 152003-D-17-A, 152003-D-18-B and 152003-D-19-A.

Reason: For the avoidance of doubt and in the proper interests of planning

and in the interests of the visual amenities of the Green Belt and area in accordance with Policies PSP1, CP1, CP8, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM2, DM4, DM6, DM8, DM9, DM11, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013) and Policy SA5 of the Site Allocations LDD (adopted November 2014).

- C3 The development hereby permitted as shown on plans as set out in Condition 2 shall be finished in external materials as approved under application 16/1601/DIS.

Reason: To ensure a satisfactory appearance of the development and in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD.

- C4 Boundary treatment shall be erected prior to occupation of the development hereby permitted in accordance with the details approved under application 16/1601/DIS and shall be maintained in accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development and in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD.

- C5 The development should be carried out in accordance with the BLYM Development Project Programme dated 11 October 2017 for demolition of existing structures and proposed temporary structures and the removal of all resulting materials from the site.

Reason: To secure an orderly development and in the interests of the amenity of the Green Belt and area in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD.

- C6 The sedum roof to the wet zone building shall be provided prior to the occupation of the wet zone building in accordance with the details approved under application 16/1601/DIS and shall be maintained in accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development and in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD.

- C7 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development.

All hard landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted. All soft landscaping works required by the approved scheme shall be carried out in accordance with a programme to be agreed before development commences and shall be maintained including the

replacement of any trees or plants which die are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species, for a period for five years from the date of the approved scheme was completed.

Reason: This condition is a pre commencement condition in the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C8 The landscape management plan, approved by the Local Planning Authority on 09 December 2016 under application 16/2153/DIS shall be carried out and completed prior to first occupation of the development hereby permitted and the soft landscaping works shall be maintained, including the replacement of any trees or plants which die are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species for a period of five years from the date that the approved scheme was completed.

Reason: In order to ensure that the approved landscaping is satisfactorily maintained, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C9 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) shall take place on site in connection with the development hereby approved unless 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 the Tree Protection Scheme approved under application 16/2153/DIS.

The protective measures, including fencing, shall be undertaken in accordance with the approved scheme and shall be maintained 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: To protect the visual amenities of the trees, area 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).

- C10 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Flood Risk Calculations (September 2015) and the details approved under application 16/1601/DIS.

Reason: To ensure that the development would not result in or be subject to unacceptable risk of flooding in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

- C11 The development permitted by this planning permission shall be carried out in accordance with the approved Landscape Report (13 October 2016) and Ecological Mitigation and Enhancement Plan (October 2016) approved under application 16/2153/DIS.

Reason: To ensure that the impact on biodiversity is minimised and to meet the requirements of Policies CP1 and CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C12 The development hereby permitted as shown on plans as set out at Condition 2 shall not be occupied until the energy saving and renewable energy measures detailed within the C-PLAN assessment submitted as part of application 15/1650/FUL are incorporated into the approved development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development meets the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM4 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

- C13 The development hereby permitted shall not be brought into use until the surface water drainage works have been implemented in accordance with plan number 7700/04A and details approved under application 16/1601/DIS. The surface water drainage methods shall be permanently maintained as such thereafter.

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 application form; the relevant form is available on the Council's website ([www.threerivers.gov.uk](http://www.threerivers.gov.uk)). Fees are £97 per request (or £28 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

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

Where possible, energy saving and water harvesting measures should be incorporated. Information on this is also available from the Council's Building Control section. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- I2 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of

equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

- 13 The applicant is advised that Advertisement Consent may also be required for the proposed signage within the site.
- 14 The applicant is advised in relation to Condition 11 that Hertfordshire Ecology have advised that the Preliminary Ecological Appraisal identifies suitable habitat for reptiles within the application site and further surveys were recommended. Based on the survey results, a reptile mitigation plan may need to be produced.

Hertfordshire and Middlesex Wildlife Trust have provided the following comments in relation to the submitted Ecological Mitigation and Enhancement Plan (September 2015):

- P.9 Habitat compensation is welcomed however an number of mistakes and inappropriate species have been suggested. Remove *Cladium mariscus* – this is not native to Hertfordshire and has never been recorded in the wild. Lesser Pond Sedge is *Carex acutiformis*
  - The required figure to offset the impacts of the loss of 1350 m<sup>2</sup> of Sedge Swamp has been miscalculated. 8100 ecological units equates to 1350 ha of this habitat which is incorrect. The report should be amended to remove this figure and replace with the actual figure of 1.62 units.
  - The new ditch is welcomed.
  - P.12 10 Schwegler 2F boxes should be changed to 5 1FF boxes. 2F boxes are routinely occupied by birds and require monitoring and maintenance. 1FF boxes are self-cleaning and more suited to Pipistrelle species likely to occur on site. They should be erected in dappled shade and a minimum of 10m apart.
  - Swift nest boxes will not be used by Swifts if erected on trees. Replace with Schwegler 1B.
  - P.14 It is not necessary to condition a reptile survey. They can be presumed to be present and should be encouraged to disperse into the adjacent habitat by a staged habitat reduction plan – which is effectively cutting vegetation to ground level in 2 or 3 stages and maintaining at that level to prevent recolonization. The newly created habitats will compensate for the loss of the area to development. Condition a habitat reduction strategy. E.g. Development shall not proceed until a reptile and amphibian habitat reduction plan has been approved in writing by the LPA. The plan should contain details of how site clearance will not result in the killing or injury of reptiles or amphibians. Reason: To conserve and enhance biodiversity in accordance with NPPF and ensure species protected under the Wildlife and Countryside Act 1981 as amended, are not harmed.
  - P.13 The Herts Environmental Records Centre holds no records of Desmoulin's Whorl Snail in this area. However the habitat proposed to be created will benefit a number of other species.
- 15 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 the Local Planning Authority engaged in pre-application discussions which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

**PC84/17 17/2035/FUL – First floor side, front and rear extension at 66 HILL RISE, RICKMANSWORTH, HERTFORDSHIRE, WD3 7NX for Mr L. Thirkette**

In accordance with Council Procedure Rule 35 (B) Mr Lucey spoke against the application and Mr Thirkette spoke in support of the application.

The Planning Officer reported the 45 degree splay line was taken from the point on the boundary level with the rear wall and of the neighbour and there would be no intrusion on this at the back. Whilst Appendix 2 does not generally apply the 45 degree rule to front extensions it can be a useful tool. The front extension would not intrude the 45 degree splay line and the impact on the neighbours was acceptable and would not result in demonstrable harm to consider as a reason for refusal.

Councillor Debbie Morris asked about loss of light to the neighbour. The Planning Officer advised that the 45 degree line guidance was complied with and the space between the properties and the orientation levels were acceptable.

Councillor Peter Getkahn noted that the dwelling was not in the Conservation Area and was not listed. There were already mixed styles of houses in the area.

The Planning Officer clarified that the application site was not within a Conservation Area nor was the dwelling a Listed Building.

Councillor Whately-Smith moved, seconded by Councillor David Major, that planning permission be granted subject to conditions.

On being put to the Committee the motion was declared CARRIED the voting 9 For, 0 Against and 2 Abstentions.

RESOLVED:

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: LT/66/00, LT/66/01 REVB, TRDC001 (Block Plan) and TRDC002 (Location Plan).

Reason: For the avoidance of doubt, in the proper interests of planning and in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

- 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).

Informatives:

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

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £97 per request (or £28 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Information and application forms are available at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk). Alternatively the Council's Building Control section can be contacted on telephone number 01923 727130 or email [building.control@hertfordshirebc.gov.uk](mailto:building.control@hertfordshirebc.gov.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. Information on this is also available from the Council's Building Control section. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- I2 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

- 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 submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 14 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](http://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. A list of bat consultants can be obtained from Hertfordshire Ecology on 01992 555220).

**PC85/17 17/2141/FUL – Part single, part two storey front, side and rear extensions at 81 HIGHFIELD WAY, RICKMANSWORTH for Mr and Mrs S Israni**

Councillor Chris Whately-Smith moved, seconded by Councillor Chris Lloyd, that planning permission be granted subject to conditions.

On being put to the Committee the motion was declared CARRIED the voting being unanimous.

RESOLVED:

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: TRDC001 (Location Plan), TRDC002 Rev A (Block Plan), 3665/1, 3665/2N.

Reason: For the avoidance of doubt, in the proper interests of planning and in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM6 and DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

- 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).

- C4 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).

- C5 Before the first occupation of the extensions hereby permitted the first floor windows in the flank elevations 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 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:

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

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £97 per request (or £28 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at [buildingcontrol@hertfordshirebc.co.uk](mailto: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](http://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 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](http://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. A list of bat consultants can be obtained from Hertfordshire Ecology on 01992 555220).

- 14 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 submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

**PC86/17 17/2160/FUL – Demolition of existing conservatory, construction of a single storey rear extension and alterations to roof of existing rear extension at 1 GATE COTTAGES, OLD COMMON ROAD, CHORLEYWOOD, WD3 5LW for Mr Jeremy Worrall**

Councillor Phil Brading moved, seconded by Councillor Stephen King, that planning permission be granted subject to conditions.

On being put to the Committee the motion was declared CARRIED the voting being unanimous.

**RESOLVED:**

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

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

- C3 Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

Reason: To ensure that the external appearance of the building is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

**Informatives:**

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

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be

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

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

Community Infrastructure Levy (CIL) - If your development is liable for CIL payments, it is a requirement under Regulation 67 (1) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Information on this is also available from the Council's Building Control section. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- I2 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- I3 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the District.

**CHAIRMAN**