

9. 18/0322/FUL - Demolition of existing garages and construction of three linked two storey buildings consisting of a total of 6 flats for temporary accommodation with associated car parking and landscaping at GARAGES BETWEEN 83 AND 89 THE QUEENS DRIVE, MILL END WD3 8LS for Three Rivers District Council (DCES)

Parish: Chorleywood Parish
Expiry of Statutory Period: 9 April 2018

Ward: Penn and Mill End
Case Officer: Adam Ralton

Recommendation: That Planning Permission be granted

Reason for consideration by the Committee: The applicant is Three Rivers District Council. Also Called-In by Chorleywood Parish Council unless Officers are minded to refuse.

UPDATE

This application was presented to the Planning Committee on 22 March 2018 but was deferred for a site visit. The site visit was postponed prior to the April Planning Committee meeting and an alternative date has not yet been arranged.

1. Relevant Planning History

1.1 There is no planning history relevant to this current application.

2. Description of Application Site

2.1 The application site is located to the north western side of The Queens Drive, south west of its junction with Quickwood Close. The site contains five linked single storey flat roofed garage blocks, containing a total of 22 garages. They are arranged broadly in a U-shape, facing The Queens Drive, with a large concrete forecourt area and access drive. They are set approximately 20 metres back from The Queens Drive.

2.2 The application site is located on the outside of a bend in The Queens Drive. The site is bound by The Queens Drive to the south-east, No. 83 The Queens Drive to the south, No. 89 The Queens Drive to the north east, and a narrow band of woodland forming part of Pheasants Wood to the west and north with the M25 immediately beyond this woodland. The land to the rear, including Pheasant's Wood, is within the Green Belt. The woodland is identified in the Local Plan as Open Space and a Local Wildlife Site.

2.3 The Queens Drive is characterised primarily by two storey semi-detached and terraced dwellings. The dwellings generally have pitched or hipped tiled roofs, and the majority benefit from at least one off-street car parking space within a front forecourt area. The neighbouring houses have ground to ridge heights of approximately 8.1 metres.

3. Description of Proposed Development

3.1 This application proposes the demolition of all existing garage buildings, and the construction of three linked two storey buildings, to provide a total of six 2-bedroom flats for temporary accommodation.

3.2 The proposed buildings would each measure approximately 6.3 metres in width by 12.5 metres in depth. They would each have a pitched roof with front and rear gables, with an eaves height of 5.4 metres and a ridge height of 8.5 metres. The site is splayed, increasing in width from front to rear. As a result, the proposed buildings have a splayed relationship rather than being sited parallel to each other. The gap between buildings at the front is approximately 1.5 metres and this increases to approximately 5 metres to the

rear. The buildings are linked at ground floor level by entrance gates set back 0.3 metres from the main front elevation. They are also linked by staircases which provide access to the first floor flats. These would be enclosed by galvanised steel balustrades set 5 metres back from the front elevation, and would be covered by a flat roof set below the eaves height of the building. The buildings are proposed to be finished in a red multi brick, with grey slate roof tiles. The building closest to No. 89 The Queens Drive would be set 2 metres away from the common boundary with that property. The building closest to No. 83 The Queens Drive would be 4.9 metres from the boundary toward the front but due to the unusual boundary arrangement would be 2.1 metres from the curtilage of No. 83 at the closest point. The buildings would be set back at least 5.5 metres from the rear boundary.

- 3.3 The development would provide a total of six two-bedroom flats. These would each have bedrooms to the rear, and kitchen/living rooms to the front. Bicycle and refuse bin storage areas would be provided to the south of the site, adjacent to the common boundary with No. 83 the Queens Drive within timber enclosures. The submitted plans show raised planting areas to be provided to the front of the proposed buildings, with the remainder of the frontage area finished in hardstanding. Off-street car parking is proposed for 6 cars, including one disabled parking space. In addition, the site layout retains an access path to Pheasants Wood to the rear.
- 3.4 The application has been accompanied by a Biodiversity Checklist, Ecological Appraisal and Phase 1 Bat Report, Noise and Vibration Assessment, Energy Statement, Transport Statement, Tree Constraints, Impact Assessment and Tree Protection Method Statement, Affordable Housing Statement, and Land Contamination Report.

4. Consultation

4.1 Statutory Consultation

4.1.1 Chorleywood Parish Council: [Object]

Object due to Proximity to M25, lack of parking for vehicles in the garages (DM13), need for off-street parking as there is no facility to provide own, out of keeping, location is not viable. Concern was raised from the Committee that Three Rivers District Council should not determine this application in isolation.

4.1.2 Hertfordshire County Council – Highway Authority: [No objections]

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following condition:

1. 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: 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).

COMMENTS / ANALYSIS:

The proposal comprises of the development of six two-bed flats and associated car parking at a garage site at The Queens Drive, Mill End. The Queens Drive is designated as an unclassified local access road, subject to a speed limit of 30mph and highway maintainable at public expense.

VEHICLE ACCESS & PARKING:

The site is accessed via a 20m long private access road that runs between 83 and 89 The Queens Drive. The access road is approximately 4.1m wide. The current vehicular and pedestrian visibility at the junction with The Queens Drive and the width of the private access road is considered to be acceptable and in accordance with *Manual for Streets (MfS)* and *Roads in Hertfordshire: Highway Design Guide*.

Following consideration of the size of the proposals with the access providing vehicular, cycling and pedestrian access as part of a shared surface environment the arrangements are considered to be acceptable by HCC as Highway Authority. Further details on shared surface roads can be found in *Roads in Hertfordshire, Sec 2, 5.2.2 and 8.5.3*. Although HCC as Highway Authority would not agree to adopt the proposed access road, it should be built to adoptable standards

The proposal includes the provision of six on site car parking spaces, the layout of which is shown on submitted plan no. 020. HCC as Highway Authority considers the dimensions of the proposed parking spaces to be acceptable and in accordance with *MfS and Roads in Hertfordshire*. Swept path analysis plans have been submitted as part of the application to illustrate the maneuverability for vehicles using the proposed parking spaces.

The level of parking is not in accordance with car parking standards as outlined in Appendix 5 of Development Management Policies: Local Development Document and there will be a loss of 22 garages that are currently used by other properties. However it is unlikely that any effects from parking would be significant enough to recommend refusal from a highway perspective and it has been indicated that alternative garages will be offered to those losing garage provision. TRDC is the parking authority for the district and therefore should ultimately be satisfied with the parking provision.

REFUSE / WASTE COLLECTION:

Provision has been made for an on-site bin-refuse store within 30m of the dwellings and within 25m of the kerbside/bin collection point, which is considered to be acceptable.

EMERGENCY VEHICLE ACCESS:

The proposed access road is 4.1m wide and would enable access for fire trucks and emergency vehicles to be able to get to within 45m to all parts of the proposed dwellings. This is in accordance with the guidance in *MfS, Roads in Hertfordshire; Highway Design Guide and Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellingshouses*.

CONCLUSION:

HCC as Highway Authority has considered that the proposal would not have an unreasonable or significant impact on the safety and operation of the surrounding highway with no direct impact. The development is unlikely to result in a material increase in traffic generation. HCC has no objections on highway grounds to the application, subject to the inclusion of the above planning conditions and informative

4.1.3 Housing Development Manager: [Support]

We currently have 51 homeless families in temporary accommodation. Of these 51 homeless cases 13 are currently placed in temporary accommodation out of our district with the furthest away being in Harlow, Essex. This clearly demonstrates that temporary accommodation within the district is greatly needed for homeless families.

I support this application based on our temporary housing needs.

4.1.4 Herts Ecology: [No objection]

The Hertfordshire Environmental Records Centre does not have any habitat or species data for the application site, which is predominantly an area of hardstanding with 22 garages. The site backs onto Pheasant's Wood, a Local Wildlife Site designated for its ancient woodland features and indicator species. There is a record for roosting bats in a building nearby.

An Ecological Appraisal (by Lindsay Carrington Ecological Services, December 2017) has been submitted in support of this application. As well as the hardstanding and garages, there is some amenity grassland, broadleaved woodland / trees, and colonising ruderal vegetation on site. Overall, the application site is of limited ecological interest; however, there is some potential for nesting birds to use the trees on and overhanging the site; in addition any trees remaining on site should be protected from harm (including their roots) during construction.

Mention is made of dormice and the presence of potential habitat for them. However, dormice are all but considered extinct in Hertfordshire (pre com: County Mammal Recorder, 2016) and on this basis, I consider it unreasonable to advise further dormouse survey effort in this instance.

4.1.5 Herts and Middlesex Wildlife Trust:

[No response received at the time of drafting report. Any response received will be verbally updated]

4.1.6 Highways England: [No objection]

Recommend that conditions should be attached to any planning permission that may be granted, requiring the applicant to provide a method statement for the removal of trees within the site.

4.1.7 Landscape Officer: [No objection]

I have no objection to the application.

It would appear that previous pre-application comments have been taken on board. The proposals are much more sensitive the woodland to the rear and temporary ground protection is shown on the Tree Retention and Protection Plan drawing.

The Tree Constraints, Impact Assessment and Tree Protection Method Statement as submitted as part of the application should guide the construction so as to minimise the impact on trees to the rear of the site. While the trees individually are of limited merit, their group and woodland value is of significance to wildlife and also due to their location between the residential development and the M25.

It would be fantastic if there could be some scope perhaps for a couple of small street type trees to be planted somewhere near the road frontage, where they will not impact on visibility splays.

4.1.8 Environmental Health: [No objections]

The initial response from Environmental Health raised concerns with the submitted report, as it did not make it clear where the noise monitoring took place, did not provide details of the design and construction of non-glazed elements of the building, and referred to noise from rail activity. However, following receipt of clarification on these matters from the applicant, no objections are raised.

4.1.9 Affinity Water: [No objections]

You should be aware that the site is located within the groundwater Source Protection Zone (SPZ) of Mill End Pumping Station. This is a public water supply and comprises of a number of chalk boreholes operated by Affinity Water Ltd. The construction works and operation of the proposed development site should be done in accordance with the

relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the sites then the appropriate monitoring and remediation methods will need to be undertaken.

4.1.10 Environment Agency: [No objections]

The proposal is lower risk from our perspective. There is no previous or proposed highly contaminative use and the application states both foul and surface water will be disposed of via connection to mains sewer. We would advise against any water being discharged to ground, in any made ground in SPZ1. As there is a possibility of made ground on site, the suggested connection to the mains for both foul and surface drainage is the best solution.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 16 Responses received: 29 letters of objection

4.2.2 Site Notice: Displayed 29 February 2018 and expired 12 March 2018

4.2.3 Summary of Responses:

- Proposal will affect the immediate surroundings.
- Neighbouring properties will be overlooked.
- Development works will cause upheaval with noise, mess and traffic.
- Wildlife would be significantly impacted.
- Occupants of the garages would be impacted as they would need to find alternative spaces to park their vehicles.
- Future residents could face health issues as the dwellings are close to the motorway.
- The access is on a dangerous bend in the road, already used at speed as a cut-through.
- Additional cars parking on the road would cause danger.
- Insufficient car parking is being provided.
- Proposal will increase pressure on local amenities.
- Construction would impact on views and enjoyment of gardens.
- Flats are not in keeping to The Queens Drive.
- Proposed development would not be in keeping with the area.
- Concern with the removal of asbestos roofing.
- Transport Assessment drawing is wrong [Officer Note: The drawing has since been corrected].
- Would prefer a more eco-friendly development which benefits everyone in the community.
- A Health Impact Assessment should be undertaken to identify impacts on the health of local people. [Officer Note: There is no requirement in Three Rivers' Development Plan for a Health Impact Assessment to be undertaken. This application is accompanied by a Noise and Vibration Assessment which suggests mitigation measures that could be used to ensure a satisfactory quality of internal environment].
- There are no nearby amenities for tenants with no vehicles.

5. Reason for Delay

5.1 Not applicable.

6. Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

On 27 March 2012, the framework of government guidance in the form of Planning Policy Statements and Planning Policy Guidance Notes was replaced by the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

6.2 The Three Rivers Local Plan

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

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies PSP2, CP1, CP2, CP3, CP4, CP8, CP9, CP10, CP11 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM2, DM4, DM6, DM8, DM10, DM11, DM13 and Appendices 2 and 5.

6.3 Other

Affordable Housing Supplementary Planning Document (adopted June 2011).

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

The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

7. **Planning Analysis**

7.1 Principle of Development

- 7.1.1 The Spatial Vision within the Core Strategy looks forward to 2026 and beyond, and sets out the priorities for the future which include "to improve access to housing and affordable housing for communities across the whole district". In order to implement the vision, the Core Strategy sets out a number of objectives which include (S2) "to make efficient use of previously developed land", (S4) "to balance the community's need for future homes...by providing sufficient land to meet a range of local housing needs..." and (S5) "To increase levels of affordable housing in the District...". The application site is located within Mill End, which is identified as a Key Centre in the Core Strategy's Spatial Strategy. Policy

PSP2 sets out that development in Key Centres will 'Focus future development predominately on sites within the urban area, on previously developed land'. The supporting text sets out that there is scope for continued infilling within the urban areas, primarily on previously developed land, subject to the protection of existing residential and historic character and amenities.

- 7.1.2 Policy CP1 of the Core Strategy sets out the overarching policy on sustainable development and sets out that all development in Three Rivers will contribute to the sustainability of the District. This means taking into account the need to "make efficient use of land by guiding development onto previously developed brownfield land". The application site is not allocated for housing within the Site Allocations LDD, and as such is not identified as part of the District's housing supply. However it is a previously developed brownfield site. The site is therefore to be considered a windfall site. Policy CP2 of the Core Strategy states that applications for windfall sites will be considered on a case by case basis having regard to;
- i. the location of the proposed development, taking into account the Spatial Strategy;
 - ii. the sustainability of the development and its contribution to meeting local housing needs;
 - iii. infrastructure requirements and the impact on the delivery of allocated housing sites; and
 - iv. monitoring information relating to housing supply and the Three Rivers housing target.
- 7.1.3 Having regard to the Spatial Strategy within the Core Strategy, the application site is within Mill End which is identified as a Key Centre where future development should be focussed on previously developed land. The proposed development would be located on previously developed land and would make efficient use of that land. Therefore no objections are raised to the principle of developing this land.
- 7.1.4 In respect of the type of accommodation proposed, at the end of February 2018 Three Rivers District Council had 56 households in temporary accommodation. Of those, 42 were accommodated within the District and the remaining 14 accommodated outside the District, in Harlow. Of those accommodated within the District:
- 16 are accommodated within designated temporary accommodation within Housing Association stock at Lincoln Drive, South Oxhey. The longer-term future of this accommodation is uncertain.
 - Seven are accommodated within various Housing Association stock on a temporary basis. These are properties where Thrive or Watford Community Housing are due to carry out work, and so do not wish to let them permanently. The properties will be lost as temporary accommodation once the work takes place. These are mainly studio units.
 - Three are accommodated within properties purchased by TRDC for use as temporary accommodation.
 - One is accommodated within the private rented sector.
 - 15 are accommodated within properties used on a temporary basis as part of the South Oxhey Initiative, of which:
 - 1 needs to be vacated by the end of the month
 - 8 need to be vacated by September this year
 - 6 will be available until the middle of next year.
- 7.1.5 Three Rivers District Council Housing staff have made every effort to reduce the number of households in temporary accommodation and source more cost-effective temporary accommodation. However, it is anticipated that the implementation of the Homelessness Reduction Act (HRA) in April will increase the number of customers. The evidence from pilot studies across the country is that the HRA will increase numbers of households in temporary accommodation, as well as increase the length of stay in temporary

accommodation. The Council's ability to move residents out of temporary accommodation is dependent almost entirely on permanent homes becoming available with our Housing Association partners. The recent large falls in households awaiting permanent accommodation is to a great extent due to new build homes becoming available. These come through in waves, as the developments are occupied. As recently as two months ago our numbers were much higher (80 plus) than at present.

- 7.1.6 The development would provide six units as temporary accommodation, and clearly from the evidence set out above there remains considerable need for this type of accommodation to be provided. Whilst not an identified housing site, the site is previously developed and within a Key Centre and considered to be in a sustainable location. In accordance with Policy CP3, the proposal helps meet the future needs of the District's homeless population and provides the housing type most suited to their needs. As such, there is no objection in principle to the nature of the development proposed subject to compliance with other relevant planning policies.
- 7.1.7 Policy CP4 of the Core Strategy (adopted October 2011) requires that all new development resulting in the net gain of one or more dwellings will be expected to contribute to the provision of affordable housing. As the development would provide housing for homelessness need it would provide 100% affordable housing. As such, the principle of the proposed development is considered acceptable, subject to the inclusion of a planning condition requiring that the development is occupied only by persons registered with the Local Authority as being homeless.
- 7.2 Impact on the character and appearance of the street scene and locality, and on the adjacent Green Belt
- 7.2.1 Policy CP1 of the Core Strategy seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.
- 7.2.2 In terms of new residential development, Policy DM1 of the DMLDD advises that the Council will protect the character and residential amenity of existing areas of housing from forms of 'backland', 'infill' or other forms of new residential development which are inappropriate for the area. Development will only be supported where it can be demonstrated that the proposal will not result in:
- i. Tandem development;
 - ii. Servicing by an awkward access drive which cannot easily be used by service vehicles;
 - iii. The generation of excessive levels of traffic;
 - iv. Loss of residential amenity;
 - v. Layouts unable to maintain the particular character of the area in the vicinity of the application site in terms of plot size, plot depth, building footprint, plot frontage width, frontage building line, height, gaps between buildings and streetscape features (e.g. hedges, walls, grass verges etc.)
- 7.2.3 The development site contains garages, and is located between existing two storey residential buildings. Therefore rather than resulting in any backland or tandem development, the proposal would appear more as a modern continuation of the existing two storey built form, albeit set further back on the plot than the neighbouring buildings to

reflect the siting of the existing garages. It is therefore considered that the proposed development in terms of its siting would be appropriate for the area.

- 7.2.4 The development would be accessed from a new dropped kerb and point of vehicular access from The Queens Drive, set closer to No. 83 than the existing access. The existing drive provides access to 22 garages and the proposed would provide access to 6 flats. The implications of the proposed access on highway safety are addressed below, however in terms of the impact of the access on the character and appearance of the locality it is considered that the proposed access would be similar in appearance to the existing. The access is capable of use by service vehicles and is considered acceptable. Similarly, whilst traffic matters will be addressed below it is noted that the use for 6 flats would generate less traffic than the existing use for 22 garages.
- 7.2.5 The impact on the amenities of neighbours is addressed at section 7.3 below.
- 7.2.6 In terms of design, it is noted that the proposal comprises three 2-storey buildings, with staircases providing physical links between the buildings. The overall width of development would exceed the width of the neighbouring pairs of semi-detached dwellings, although would not be as wide as the rows of terraces located at Nos. 65-71 The Queens Drive. However, the link sections are set back approximately 5 metres from the main front elevation, meaning they are not overly visible elements of the proposal. From the majority of wider views from The Queens Drive, the proposal would appear as three detached buildings. The buildings would have adequate spacing between them when viewed from the front and to the side boundaries such that overall the development would not appear cramped within its plot. The sloped pitched roof forms would broadly reflect the pitched roof form of the surrounding dwellings, with the proposed front gable projections reflecting those found at other neighbouring properties including Nos. 73-79 The Queens Drive. The proposed development would have two entrances visible from the street, with the individual front doors hidden from view in flank elevations. This would enhance the appearance of the proposal as three individual buildings and to some extent reduce the appearance of the building as a flatted development.
- 7.2.7 The proposed buildings would be approximately 0.4 metres taller to ridge than the neighbouring properties. However given their set-back from the neighbouring buildings, and their design with front-facing gables which minimises the visible massing of the roof, it is not considered that the additional roof height would result in any harm to the character or appearance of the street scene.
- 7.2.8 The proposed plot size would be larger overall than neighbouring plots, and of a different and irregular shape due to the curve in the road causing the plot width to increase from front to rear. However, it is not considered that this plot size and shape results in any demonstrable harm to the character of the area. The plot reflects the outline and size of the existing plot of land containing the garages, and the proposed development has sufficient space around it to ensure it does not appear cramped within the plot.
- 7.2.9 The proposed development would be visible from the Green Belt to the rear of the site. However, due to the separation distance, that the site is previously developed and that the built form would be set back from the Green Belt boundary, it is not considered that the proposal would have any adverse impact on the openness of the Green Belt.
- 7.2.10 Overall, given the proposed facing materials would match those in the surrounding buildings (and a condition is suggested requiring samples to be submitted for approval), that the design of the buildings would reflect the neighbouring buildings, and that the proposal would be set back from The Queens Drive, it is considered that the proposal would have a satisfactory impact on the character and appearance of the street scene and the wider area.

7.3 Impact on amenity of neighbours

- 7.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Policy DM1 and Appendix 2 of the Development Management Policies document set out that residential development should not result in loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.
- 7.3.2 The proposed development would be set further back on its plot than the neighbouring developments, and therefore would be visible from the rear gardens and rear facing windows of the nearest neighbouring properties, Nos. 83 and 89 The Queens Drive. At its closest, the proposed development would be set approximately 10 metres from the attached garage at No. 83. That neighbouring property has a rear garden some 10 metres wide and over 28 metres in length. The flank elevation of the proposed development would be 4.7 metres from the boundary with No.83, but would splay away from this neighbouring property. As a result of its distance from the boundary, its set back from the neighbouring property and its proposed splayed footprint, it is not considered that the proposal would appear overbearing or visually intrusive when viewed from No. 83.
- 7.3.3 At its closest, the proposed development would be located approximately 7.5 metres from No. 89 The Queens Drive. This neighbouring property has a plot width of some 9.2 metres, and depth in excess of 24 metres. The proposed development would extend parallel to the common boundary with this neighbouring property, and would be set off the boundary by approximately 2 metres. Having regard to the separation distance between the proposed building and the neighbouring building and its setback from the boundary, it is not considered that the proposal would appear overbearing or visually intrusive when viewed from No. 89.
- 7.3.4 In terms of privacy, the proposed rear-facing windows would serve bedrooms and face toward the woodland to the rear of the site, and would not result in any overlooking. Windows are proposed at first floor level and above in the flank elevations of the proposed development, however these would serve bathrooms and can therefore be conditioned to be obscure glazed and fixed shut below 1.7m above the floor level of the room they would serve. On this basis these flank windows would not adversely affect the privacy of any neighbouring property. The front facing windows are all aligned to ensure they would not result in any direct overlooking to neighbouring properties. On this basis, the proposal is not considered to harm the privacy of the occupants of any neighbouring property.
- 7.3.5 The proposed development is considered to be sufficient distance from all other neighbouring properties such that it would not adversely affect the amenities of the occupants of any neighbouring dwelling.

7.4 Quality of accommodation for future occupants

- 7.4.1 The proposed flats would each be dual aspect, with large bedrooms with storage space, and separate living rooms and kitchen areas. One flat is designed to be fully wheelchair accessible. Sufficient ventilation and natural light would be received by the proposed flats to ensure a good quality of internal accommodation. The ground floor flats would have access to rear terrace areas, and all flats would have access to the space to the rear of the building. It is considered that the proposal would provide a satisfactory quality of accommodation for future occupants.
- 7.4.2 The submitted Noise and Vibration Survey concludes that with the use of an appropriate construction material, glazing specification and acoustic trickle vents, the internal environment of the proposed flats would be acceptable. The use of appropriate mitigation is to be secured by condition.

7.5 Amenity Space Provision for future occupants

- 7.5.1 Appendix 2 of the DMLDD sets out the indicative levels of outdoor amenity space required to be provided for new developments. For flats, it sets out that one bed flats should provide 21 square metres, with 10 square metres for each additional bedroom. This application proposes six 2-bedroom flats, and therefore is required to provide a total of 186 square metres of outdoor amenity space
- 7.5.2 The three ground floor flats would have rear terrace areas approximately 11 square metres in area. The remainder of the rear area of the site amounts to approximately 200 square metres of space. Therefore, the site is able to provide sufficient quantity of outdoor amenity space. In terms of the quality of the space, the proposed buildings would be at least 5.5 metres from the rear boundary of the site and there would be sufficient space in the rear and side of the building to provide adequate quality of outdoor amenity space for future occupants.

7.6 Wildlife and Biodiversity

- 7.6.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive.
- 7.6.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application.
- 7.6.3 The application has been submitted with a Biodiversity Checklist and an Ecological Appraisal with Phase 1 Bat Report. The appraisal confirms that the habitats found on site were common and widespread, and considered of value within the site context only. The Appraisal acknowledges the site is adjacent to the Pheasant's Wood Local Wildlife Site, and sets out that mitigation would be required to ensure no adverse impact on the site and its wildlife. This includes the submission of a construction method statement to avoid impacts on the wildlife site, the maintenance of a dark corridor to the rear of the site to protect bats with a buffer of 5m to be left as an unlit corridor, avoidance of the removal of any woodland, any vegetation clearance to be conducted outside of bird nesting season, and ecological enhancement measures to be provided including bird boxes, planting of native shrubs and provision of a hedgehog house. These measures will be secured by condition, and subject to conditions no objections are raised.

7.7 Trees and Landscaping

- 7.7.1 Policy CP12 of the Core Strategy expects development proposals to 'have regard to the character, amenities and quality of an area', to 'conserve and enhance natural and heritage assets' and to 'ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features'.
- 7.7.2 Policy DM6 of the Development Management Policies document sets out requirements in relation to trees, woodlands and landscaping and sets out that:
- i) Proposals for new development should be submitted with landscaping proposals which seek to retain trees and other important landscape and nature conservation features. Landscaping proposals should also include new trees and other planting to enhance the landscape of the site and its surroundings as appropriate.

- ii) Development proposals on sites which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible, particularly those of local amenity or nature conservation value or hedgerows considered to meet the Hedgerow Regulations 1997.
- iii) Development proposals should demonstrate that existing trees, hedgerows and woodlands will be safeguarded and managed during and after development in accordance with the relevant standards.
- iv) Development should be designed in such a way as to allow trees and hedgerows to grow to maturity without causing undue problems of visibility, shading or damage. Development likely to result in future requests for significant topping, lopping or felling will be refused.
- v) Planning permission will be refused for any development resulting in the loss or deterioration to protected woodland (including ancient woodland), protected trees (including aged or veteran trees) and hedgerows, unless conditions can be imposed to secure their protection.

7.7.3 The application proposes the removal of only two trees within the application site. The site backs onto Pheasants Wood and a tree protection plan has been submitted to demonstrate how the trees within the wood can be protected throughout development works. On this basis, subject to conditions requiring tree protection measures to be in place before works commence, and requiring details of the working method to be submitted, no objections are raised in respect of the impact of the proposal on trees.

7.8 Highways, Access and Parking

7.8.1 The Highway Engineer's consultation response is set out at section 4.1.2 above. This confirms that the current vehicular and pedestrian visibility at the junction with The Queens Drive is acceptable. It confirms that the size and accessibility of the car parking spaces are all acceptable. In terms of emergency vehicle access they confirm the proposed access road would allow fire trucks to be able to get within 45m of all parts of the proposed dwellings, in accordance with guidance within Manual For Streets. On the basis of the above, the Highway Authority considers the proposed development would not have an unreasonable or significant impact on the safety and operation of the surrounding highway, with no direct impact. The existing site access services 22 garages, therefore with the potential for at least 22 vehicle movements each day. In contrast the proposed development would result in the access serving just six flats. The development is unlikely to result in a material increase in traffic generation and no objections are raised on highways grounds to the proposal, subject to conditions.

7.8.2 In respect of car parking provision, the submitted site plan shows six car parking spaces to be provided on site. This would include one disabled parking space. It is noted that in accordance with Appendix 5 of the DMLDD, two car parking spaces are required to be provided per unit. To accord with this requirement, the proposed development is required to provide 12 car parking spaces, and therefore this scheme has a shortfall of six car parking spaces. The submitted Transport Assessment includes an analysis of car ownership statistics for two census Output Areas, looking at ownership statistics for one group containing 624 properties, and one group containing 3517 properties. The result of this analysis is that properties have on average between 1.40 and 1.43 cars each in the local area. Based on this car ownership information, and the proposed number of properties, the Statement sets out that the proposed development could generate parking demands of 8 vehicles, and therefore the proposed provision would result in a shortfall of two spaces.

7.8.3 The Transport Assessment sets out that 18 garages were occupied at the time the assessment was undertaken (February 2018), with many used for storage purposes rather than for parking cars. However, the Assessment analyses the potential impact of an addition 18 vehicles on on-street parking stress levels. Overnight parking stress surveys

found parking stress levels of between 56% and 57%, equating to 45 and 46 cars parked, and showed spare capacity for at least 35 additional cars to park lawfully on the street. This demonstrates that as a worst case scenario, in the unlikely event that the proposal displaces 18 cars from the existing garages plus two cars for potential future occupants onto the street, there would be capacity to accommodate these cars. The additional 20 vehicles would increase parking stress levels to 81%, or 66 parking spaces occupied out of 81 identified spaces.

7.8.4 In addition to the above, the applicant has provided details of car ownership for households currently in temporary accommodation. Of 62 households in temporary accommodation at the time the data was analysed, 34 of the households had cars (55% of the total). Of those, 4 had access to two cars and 30 access to one car. 45% of the households therefore had access to no car. These ownership levels would indicate that the proposed parking provision would be sufficient for the proposed end use.

7.8.5 Car parking allocation and management would be undertaken by the Housing Officer responsible for managing the scheme, and the long term management of the parking areas and allocation would be secured by condition. On this basis, taking into account the levels of car ownership locally, the existing on-street capacity and the low levels of car ownership of the residents eligible to occupy the proposed development, the provision of six car parking spaces is considered acceptable.

7.9 Sustainability

7.9.1 Paragraph 93 of the NPPF states that “Planning plays a key role in helping to shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure”.

7.9.2 Policy CP1 of the Core Strategy requires the submission of an Energy and Sustainability Statement demonstrating the extent to which sustainability principles have been incorporated into the location, design, construction and future use of proposals and the expected carbon emissions.

7.9.3 Policy DM4 of the DMLDD requires applicants to demonstrate that development will produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability. This may be achieved through a combination of energy efficiency measures, incorporation of on-site low carbon and renewable technologies, connection to a local, decentralised, renewable or low carbon energy supply. The policy states that from 2016, applicants will be required to demonstrate that new residential development will be zero carbon. However, the Government has announced that it is not pursuing zero carbon and the standard remains that development should produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability.

7.9.4 The submitted Energy Statement identifies that the proposal is currently forecast to achieve a 5.4% improvement than the Building Regulations, and the proposal would therefore comply with DM4.

7.10 Safety & Security

7.10.1 Policy CP1 of the Core Strategy (adopted October 2011) advises that all development in Three Rivers will contribute to the sustainability of the District. This means taking into account the need to, for example, promote buildings and public spaces that reduce opportunities for crime and anti-social behaviour. Policy CP12 also requires that development proposals design out opportunities for crime and anti-social behaviour

through the incorporation of appropriate measures to minimise the risk of crime and create safe and attractive places.

7.10.2 It is suggested that a management plan providing details of the long term management and maintenance of the building be provided by condition.

7.10.3 Any planning permission would include an informative to ensure that the development is built to Secured by Design part 2, the police approved minimum security standard. This would ensure, for example, that exterior doors and windows are of appropriate standard.

7.11 Flood Risk and Drainage

7.11.1 The scale of the development is such that there is no statutory requirement for a Sustainable Drainage Scheme (SuDS) to be submitted. Similarly, the site is located within Flood Zone 1 and as such a Flood Risk Assessment is not required to be submitted. Policy DM8 of the Development Management Policies document stipulates that development will only be permitted where it would not be subject to unacceptable risk of flooding and would not unacceptably exacerbate risk of flooding elsewhere. Where practicable, existing flood risks should be reduced.

7.11.2 The existing site contains large areas of hard standing and single storey garage buildings. The proposal would introduce buildings with drainage provision and soft landscaping would also be introduced to the site. As such it is considered that drainage would be improved and the development would not therefore result in any greater risk of flooding within the site or neighbouring properties.

7.12 Refuse and Recycling

7.12.1 Policy DM10 (Waste Management) of the DMLDD advises that the Council will ensure that there is adequate provision for the storage and recycling of waste and that these facilities are fully integrated into design proposals. New developments will only be supported where:

- i) The siting or design of waste/recycling areas would not result in any adverse impact to residential or work place amenity
- ii) Waste/recycling areas can be easily accessed (and moved) by occupiers and by local authority/private waste providers
- iii) There would be no obstruction of pedestrian, cyclists or driver site lines

7.12.2 The submitted plans indicate a communal refuse area adjacent to the proposed parking area and adjacent to the boundary with No. 83 The Queens Drive. The store would measure approximately 4.8 metres in width and would be enclosed by 1.8 metre high timber fencing, to match the height of the boundary fence. The proposed store is of sufficient size to accommodate the bins necessary for a development of this size, and is an acceptable distance from the highway for collection. Whilst the store would be adjacent to the garden of No. 83 The Queens Drive, the height of the enclosure is such that it would not be clearly visible from this neighbouring dwelling and is not considered to appear overbearing or visually intrusive. The proposed refuse and recycling storage arrangements are considered acceptable.

7.13 Infrastructure Contributions

7.13.1 Policies CP8 and CP10 of the Core Strategy (adopted October 2011) require development to make adequate contribution to infrastructure and services. The Community Infrastructure Levy (CIL) is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the

development of their area. It came into effect In Three Rivers on 1 April 2015. The application site is located within Area A which has a CIL rate of £180.

7.14 Conclusion

7.14.1 In summary, the proposed development would provide a type of accommodation for which there is a significant need in Three Rivers. The proposed built form is considered to have an acceptable impact on the character and appearance of the locality, and would not harm the amenities of the occupants of any neighbouring property. The proposed development is not considered to be detrimental to highway safety and on this basis is recommended for approval.

8. Recommendation

8.1 That subject to no new material considerations being raised, PLANNING PERMISSION BE GRANTED subject to the following conditions:

C1 Time

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 Plans

The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. PL 010 (Site Plan), 010 (Topographical survey), 020, 100 Rev A, 101, 102, 200 (South East Flank Elevation), 200 (Front Elevation), 201, 203, 400 and 401.

Reason: For the avoidance of doubt, in the proper interests of planning and to safeguard the character and appearance of the area and amenity of neighbouring occupiers; in accordance with Policies PSP2, CP1, CP2, CP3, CP4, CP6, CP8, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2, DM4, DM6, DM8, DM9, DM10, DM11, DM12, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

C3 Materials

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 Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C4 Parking / Access – Details

Prior to the first occupation of the development hereby permitted, the parking and turning spaces as shown on drawing PL 020 shall be provided on site and retained thereafter only for the parking of vehicles associated with this development.

Reason: This is a condition in the interest of highway safety and traffic movement and to meet the requirements of 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).

C5 Construction Management Plan (CMP)

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 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).

C6 Landscaping - Details

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, unless the Local Planning Authority gives written consent to any variation 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).

C7 Arboricultural Method Statement and Tree Protection

The development hereby approved shall be undertaken in full compliance with the construction methods detailed in the Tree Constraints, Impact Assessment and Tree Protection Method Statement forming part of this application.

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 and as shown on Drawing QUENDRTRP-FEB18 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: 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).

C8 Housing Details

The accommodation hereby permitted shall only be occupied by persons that have an open homeless application with the Local Authority.

Reason: To meet local housing need within the Three Rivers district and to comply with Policies CP1, CP2, CP3 and CP4 of the Core Strategy (adopted October 2011).

C9 Management & Maintenance Plan – Details

Prior to occupation of the development hereby permitted, an Operational Management Plan including details of how the development would be effectively managed shall be submitted to and approved in writing by the Local Planning Authority. The Operational Management Plan should include details of the operation and management of the refuse storage area and general site maintenance. The development shall be operated and managed only in accordance with the approved Operational Management Plan.

Reason: In the interests of the local environment and residential amenity in accordance with Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM6, DM9, DM10 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C10 Nesting Season

No removal of trees, hedges or scrub shall take place between 1 March and 31 August inclusive unless searched immediately beforehand and certified free of nesting birds by a qualified ecologist.

Reason: To protect the amenities of wildlife during the primary nesting season 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).

C11 Lighting – Details

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 of the lighting. The lighting shall be installed only in accordance with the approved details and retained as such thereafter.

Reason: In the interests of visual amenity and biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

C12 Ecological Enhancements

Prior to the first occupation of the development hereby permitted, details of the ecological enhancement measures to be installed at the site as recommended at Section 5.5 of the submitted Ecological Appraisal shall be submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be installed in accordance with the approved details prior to the first occupation of the development and maintained as such thereafter

Reason: In the interests of biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

C13 Refuse & Recycling – Implementation

The development hereby permitted shall not be first occupied until the refuse storage area as shown on plan no. 400 (Bin Storage) has been implemented in full, 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, DM3, DM10 and Appendix 2 of the Development Management Policies document (adopted July 2013).

C14 Details of Boundary Treatment

Prior to the commencement of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected along the boundaries with No's 83 and 89 The Queens Drive shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be erected prior to commencement of any site works.

Reason: This is a pre-commencement condition 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).

C15 Parking Management Plan

A parking management plan, including details of the allocation and management of vehicle parking spaces and cycle storage spaces within the development; and long term management responsibilities and maintenance schedules for the parking area, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. The parking management plan shall be carried out in accordance with the approved details.

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).

C16 Fire Hydrant Provision

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).

C17 Obscure Glazing

Before the first occupation of the development hereby permitted the windows in the flank elevations of Units 4 and 6 as shown on First Floor Plan PL 010 shall be fitted with purpose made obscured glazing to a height of 1.7m above the floor level of the room of the in which the window is installed 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).

C18 Contaminated Land

Prior to the commencement of development (or such other date or stage in development as may be agreed in writing by the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded in writing by the Local Planning Authority.

i) A site investigation scheme based on (i) to provide information for an assessment of the risk to all receptors that may be affected including those off site.

ii) The results of the site investigation and risk assessment (ii) and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken.

iii) A verification report on completion of the works set out in (iii) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting.

Any changes to these agreed elements require the express consent of the Local Planning Authority.

Reason: This is a pre commencement condition to ensure that the proposed development would not result in pollution of the environment or harm to human health, in accordance with the National Planning Policy Framework and Policy DM9 of the Development Management Policies LDD (2013).

C19 Noise Mitigation

The development shall be completed in accordance with the construction methodology and mitigation measures as set out within the submitted Noise and Vibration Assessment 16721.NVA.01 Rev B including window design and ventilation.

Reason: To ensure that occupiers of the development are not subjected to excessive noise and disturbance having regard to Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and DM9 of the Development Management Policies LDD (adopted July 2013)

C20 Highways England Tree Removal Method Statement

No development shall take place until a method statement for the removal of trees has been submitted to and approved in writing by the Local Planning Authority. The statement shall include full details of the Method Statement and Risk Assessment for how the trees will be removed and also include details of an inspection regime by Connect Plus (for Highways England) of the site during and after tree removal. The tree removal shall thereafter only take place in accordance with the details as approved in the method statement.

Reason: This is a pre-commencement condition to maintain the integrity of the Highways England asset and to ensure that the M25 continues to be an effective part of the national system of routes for through traffic in accordance with Section 10 of the Highways Act 1980, Policy CP10 of the Core Strategy.

C21 Surface Water Drainage

No infiltration of surface water drainage into the ground at the site between 83 and 89 The Queens Drive is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution

C22 Unidentified Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reasons: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121)

8.2 **Informatives:**

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

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control

matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

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

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

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The scheme has been amended following the withdrawal of a previous application, resulting in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 14 Storage of materials: 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.
- 15 Secured By Design: The applicant encouraged to construct the development to the standards of Secured by Design part 2, which is the police approved minimum security standard and also achieves ADQ (Building Regulation regarding security).
- 16 Bats are protected under domestic and European legislation where, in summary, it is an offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in a roost or deliberately disturb a bat in a way that would impair its ability to survive, breed or rear young, hibernate or migrate, or significantly affect its local distribution or abundance; damage or destroy a bat roost; possess or advertise/sell/exchange a bat; and intentionally or recklessly obstruct access to a bat roost.

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

The UK Bat Helpline: 0845 1300 228
Natural England: 0300 060 3900
Herts & Middlesex Bat Group: www.hmbg.org.uk
or an appropriately qualified and experienced ecologist.

(As an alternative to proceeding with caution, the applicant may wish to commission an ecological consultant before works start to determine whether or not bats are present. A list of bat consultants can be obtained from Hertfordshire Ecology on 01992 555220).

- 17 The applicant is advised that construction works and operation of the proposed development site should be undertaken in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the sites then the appropriate monitoring and remediation methods will need to be undertaken. For further information please have regard to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".
- 18 All works (including vehicle movements, materials and waste), must be kept strictly within the curtilage of the proposed development site and hardstanding areas, and under no circumstances should there be any detrimental physical impact to the adjacent woodland Local Wildlife Site.
- 19 Lighting scheme: Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites.
- 110 Breeding birds: Any tree works or shrub removal should be undertaken outside 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.
- 111 Native planting: New trees and shrubs should be predominantly native species, particularly those that bear blossom, fruit (berries) and nectar to support local wildlife; and night flowering plants to attract insects and increase foraging opportunities for bats. Where non-native species are used they should be beneficial to biodiversity, providing a food source or habitat for wildlife.
- 112 Hedgehogs: To avoid killing or injuring of hedgehogs it is best practice for any brash piles to be cleared by hand. Any trenches on site should also be covered at night or have ramps to prevent and avoid hedgehogs being trapped during construction. It is also possible to provide enhancements for hedgehogs by making small holes within any boundary fencing. This allows foraging hedgehogs to be able to pass freely throughout a site.