

9. 18/1597/FUL – Part single storey and part two storey side and rear extensions, creation of new vehicular access from The Green and alterations to drive, alterations to landscaping including replacement boundary wall and gates at 13 THE GREEN, CROXLEY GREEN, RICKMANSWORTH, HERTS, WD3 3HL (DCES)

Parish: Croxley Green

Ward: Dickinsons

Expiry of Statutory Period: 03.10.2018

Case Officer: Claire Wilson

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: The application has been called in by Croxley Green Parish Council.

1 Relevant Planning History

- 1.1 13/0765/FUL: Two storey and single storey side and rear extensions, internal alterations, driveway with new vehicular access to The Green and garden wall and replacement gates to side boundary with Elmcote Way. Application permitted.
- 1.2 16/2355/FUL: Part single storey and part two storey side and rear extensions, creation of new vehicular access from The Green and alterations to drive, alterations to landscaping including replacement boundary wall and gates. Application permitted. Permission implemented (Single storey side extension accommodating boiler room currently being constructed).
- 1.3 18/1262/NMA Non Material Amendment to planning permission 16/2355/FUL: Alterations to rear extension roof and roof windows, revised open porch canopy and new rear garden wall. Application withdrawn.

2 Description of Application Site

- 2.1 The application site consists of a two storey detached dwelling located on the service road section of The Green, immediately adjacent to the junction with Elmcote Way. The site is located within the Croxley Green Conservation Area which is characterised by a mix of dwellings of varied size and architectural design. To the front elevation, there is a two storey gabled bay projection. The dwelling also has a gable ended projection to the flank elevation facing towards Elmcote Way. The existing entrance to the dwelling is currently located on this flank elevation.
- 2.2 Immediately to the rear of the dwelling is a rear garden, mainly laid to lawn. A small outbuilding is located immediately adjacent to Elmcote Way and is partially screened by a close boarded timber fence. . The adjacent neighbour, No.11 has been previously extended with two storey side and rear extension and a single storey rear extension. A mature hedge adjoins the boundary with this neighbour at present.
- 2.3 To the rear of the site is a detached garage with gabled roof form. This is accessed via an existing crossover from Elmcote Way and is screened from the existing highway by timber gates.

3 Description of Proposed Development

- 3.1 The applicant is seeking part retrospective planning permission for single storey and two storey side and rear extensions, creation of a new vehicular access from The Green and alterations to drive, alterations to landscaping including replacement boundary walls and gates.

- 3.2 The single storey side extension adjacent to the boundary with no.11 is currently being implemented. It has a width of 1.3m and a depth of 3.4m. It is set back from the front elevation by approximately 0.4m and has a pitched roof form with a height of 3.6m.
- 3.3 To the rear of the single storey side extension, a two storey side/rear infill extension is proposed. The two storey side extension would have a width of 1.3m and a depth of 5.8m, infilling the existing rear building line, such that the rear wall of the extension would be flush with the rear wall of the dwelling. The extension would have a gabled flank elevation. A flank roof light is proposed.
- 3.4 A further two storey side/rear infill extension is proposed to the other side of the boundary. The two storey side extension would have a width of 1m, with the flank wall of the extension being flush with the flank wall of the existing dwelling. The extension would have a depth of 7.2m with the rear wall of the extension being flush with the existing two storey gabled element. In terms of design, the extension would have a gable ended flank elevation.
- 3.5 A single storey side extension is also proposed which would be constructed up to the flank boundary with Elmcote Way. It would have a width of 3.1m from the existing flank wall of the dwelling. It would extend the depth of the dwelling, wrapping around the rear wall of the dwelling to create a single storey extension. This would have a stepped design, with a minimum depth of 3.3m and a maximum depth of 4.7m. It would have a crown roof form with a height of 3.6m. To the front elevation of the extension, a hipped roof feature would be created over the entrance.
- 3.6 A new vehicular access is proposed from The Green which would have a width of 4.5m as indicated on plan. Some of the existing grass area would be removed and hardstanding introduced to the frontage.
- 3.7 Adjacent to Elmocte Way, the existing 1.6m high close boarded fence would be removed and a 1.9m high brick wall is proposed. In addition, 1.9m high timber gates would be located across the existing vehicular access.

3.8 Statutory Consultation

3.8.1 Conservation Officer: [No objection]

This proposal is in the Croxley Green Conservation Area where there is an overwhelmingly traditional character as outlined in the Conservation Area Appraisal. 13 The Green is a modern house of low significance set back from the main Green behind established greenery.

A similar application was permitted under application reference 16/2355/FUL. A previous assessment was made as to its suitability in the Conservation Area and I would therefore not object to this current proposal.

The application states they will be using matching materials.

3.8.2 Croxley Green Parish Council: [Object]

CGPC would like this application to be called into the TRDC Planning Committee due to questions of over massing of the site and whether the location of the potential 'cross over' is safe.

3.8.3 Landscape Officer: [No objection]

The site contains a very attractive monkey puzzle tree. This tree should not be directly affected by the proposed development, but will need to be protected from indirectly/accidental damage as a result of construction activities.

The proposed site layout plan has been annotated that a tree protection plan was approved as part of a previous application, however this does not negate the need, even if it is the same document, for a tree protection scheme to be submitted with this application.

Having looked at the previous tree protection proposal, I do not consider that 'chestnut paling' fencing is appropriate, as it is too easily tampered with. I would therefore politely suggest that when the tree protection plan/scheme is submitted for this application, the fencing specification is upgraded to 'braced heras panels', in accordance with the recommendations within BS 5837 (2012).

In light of the above I do not wish to raise any objections to the proposal, but do have some arboricultural concerns, in respect to suitable tree protection measures for the monkey puzzle tree. I would therefore request that, should permission be granted, a tree protection condition is attached, such as:

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, 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: 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).

Officer comments: An amended tree protection scheme has been submitted. The Landscape Officer has confirmed that this is considered acceptable.

3.8.4 Herts Highways:

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 conditions:

1. New Access

The vehicular access shall be provided and thereafter retained at the position shown on the approved plan no. DHP/545P and in accordance with the Highway Authority's highway specification. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.

2. Provision of Visibility Splays

Prior to the commencement of the use hereby permitted a visibility splay measuring 22m by 2.4m shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

HIGHWAY INFORMATIVES: Hertfordshire County Council (HCC) recommends inclusion of the following highway informatives / advisory notes (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

AN) Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

AN) 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/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047

COMMENTS / ANALYSIS:

The application comprises of an extension to the existing dwelling and creation of an additional driveway and vehicle access at 13 The Green, Croxley Green. The property is on a corner plot at the junction of a service road spur off The Green and Elmcote Way, which is designated as an unclassified local access road, subject to a speed limit of 30mph and is highway maintainable at public expense.

VEHICLE ACCESS & PARKING: The property is currently accessed via a vehicle crossover (VXO) / dropped kerb from Elmcote Way providing access to a driveway a single driveway and garage to the rear of the property. The proposals include an additional VXO / dropped kerb leading to a driveway at the corner of the plot close to the junction, the arrangements of which are shown on submitted drawing number DHP/545P.

A second dropped kerb to a property would not normally be approved (as documented in HCC's Residential Dropper Kerbs: Terms and Conditions). However it has been

considered that this is acceptable when taking into consideration the location in a cul-de-sac with a low number of vehicular movements and the potential to create additional off-street parking. The proposed driveway has a depth of more than 5m, which is sufficient to ensure that any parked vehicles do not overhang the adjacent highway footway. Vehicular to vehicular visibility splays of 2.4m by 22m would need to be provided at either side of the new access to ensure that visibility levels are sufficient and in accordance with Roads in Hertfordshire: Highway Design Guide and Manual for Streets (MfS). Any proposed boundary walls or hedges within the splay area would be required to have a height of no greater than 0.6m

Please note that this VXO will only be approved to a maximum width of 4.5m (3 flat kerbs and 2 ramped kerbs). The applicant will need to enter into a vehicle crossover agreement with HCC as Highway Authority in relation to the works required to create a new access and any other works on the highway land - please see the above informative.

DRAINAGE: The proposed new driveway would need to make adequate provision for drainage on site to ensure that surface water does not discharge onto the highway. Surface water from new driveway would need to be collected and disposed of on site in order for the proposals to be acceptable.

EMERGENCY VEHICLE ACCESS: The proposed extension is within the recommended emergency vehicle access of 45 metres from the highway to all parts of the buildings. This is in accordance with the guidance in MfS, Roads in Hertfordshire and Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses.

CONCLUSION: The applicant will need to enter into a vehicle crossover agreement with HCC as Highway Authority (please see above informative) to cover the technical approval of the design, construction and implementation of the highway works. HCC would not want to restrict the granting of planning permission on highway grounds. However this is subject to the inclusion of the above planning conditions and informatives.

Officer Note: Following the comments received from Herts Highways, amended plans were submitted by the applicant. The Highways Officer has made the following amended comments:

The submitted details and plans acceptable and sufficient to remove the original recommended pre-commencement conditions.

3.9 Public/Neighbour Consultation

3.9.1 Number consulted: 6 No of responses received: 0

3.9.2 Site Notice: Expiry 05.09.2018 Press notice: Expiry 07.09.2018

4 Reason for Delay

4.1 The applicant provided amended plans in order to address Herts Highway's comments regarding the dimensions of the proposed crossover.

5 Relevant Planning Policy, Guidance and Legislation

5.1 National Planning Policy Framework and National Planning Practice Guidance

On 24 July 2018 the new National Planning Policy Framework was published. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations

indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

5.2 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 CP1, CP8, CP9, CP10 and CP12.

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

The Croxley Green Conservation Area Appraisal (1996)

5.3 Other

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.

6 Planning Analysis

6.1 Principle of Development

- 6.1.1 No.13 The Green has previously been granted planning permission for similar extensions and alterations to the existing dwelling. The most recent permission was granted on 1 February 2017 for the following works:

16/2355/FUL: Part single storey and part two storey side and rear extensions, creation of new vehicular access from The Green and alterations to drive, alterations to landscaping including replacement boundary wall and gates.

- 6.1.2 At the time of the site visit, this permission was being implemented, with the single storey boiler house extension being erected. The applicant has essentially now applied for extensions of similar size and scale, with the main alteration being to the design of the single storey side and rear extensions. The proposed single storey side and rear extensions would have a crown roof form, rather than the flat roof form previously proposed. As such, the extensions would have an increased maximum height of 3.6m relative to the height of 3m previously approved. The proposed extension would have an

eaves height of 2.8m. In addition, the single storey side extension includes a storm porch feature to the front elevation. It is also noted that the eaves height of the two storey side extension adjacent to Elmcote Way would be increased from 3.9m to 5m.

6.2 Impact on Character, Street Scene and Conservation Area.

- 6.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.
- 6.2.2 Policy DM3 of the Development Management Policies LDD relates to the Historic Built Environment. It advises that within Conservation Areas development will only be permitted if the proposal is of a 'design and scale that preserves or enhances the character and appearance of the Conservation Area'.
- 6.2.3 A single storey side extension is proposed adjacent to the boundary with No.11 and is the same size, scale and design to that previously permitted under application 16/2355/FUL. With regard to side extensions, Appendix 2 of the Development Management Policies LDD advises that the proximity to the boundary will be assessed on a case by case basis. In this instance, the side extension is located approximately 1m from the boundary and set back from the main front elevation, ensuring that it is subordinate addition. It is not considered that this has a detrimental effect on the appearance of the host dwelling or wider Croxley Green Conservation Area.
- 6.2.4 To the rear of this element, a two storey side/rear infill extension is proposed. Appendix 2 of the Development Management Policies LDD advises that generally the first floor element of a two storey side extension should be set in from the boundary by 1.2m to prevent a terracing effect although this can be reduced to 1m in higher density areas. In this case, the proposed extension would be set in by 1m, however, in this case no significant harm would occur for the following reasons: The side extension would be set back from the front elevation which reduces the prominence of the extension in the vicinity and furthermore spacing retained to the boundary within the vicinity does vary. For example, no.11 has a two storey side extension located at 1m from the boundary (permitted 08/0599FUL) and application 16/2355/FUL at the application dwelling also permitted a two storey side extension of the same spacing to the boundary. In terms of design, the extension would have a gabled roof form when viewed from the frontage which would match the roof form of the existing dwelling and would therefore be a sympathetic form of development. The rear wall of the extension would be flush with the existing two storey gabled element which would be retained as the central feature of the application dwelling.
- 6.2.5 A further two storey side/rear infill extension is proposed adjacent to the boundary with Elmcote Way. The first floor flank wall of the extension would be flush with the existing flank wall of the dwelling and therefore would be no closer to the highway than the existing dwelling. The rear wall of the extension would again be flush with the rear gable of the existing dwelling. Whilst it is acknowledged, that the proposed flank elevation appears deep when viewed on plan, the depth of the dwelling at two storey already exists albeit, the existing two storey gabled element is set in from the main flank wall of the dwelling at present. In addition, the design of the two storey side extension is viewed as sympathetic to the original dwelling, as a second flank gable would be introduced when viewed from Elmcote Way. Again, it is emphasised that the design of the extension also ensures that

the rear gable is retained as the key feature to the rear of the dwelling which is encouraged given the highly visible nature of the site.

- 6.2.6 A single storey side/rear extension is also proposed adjacent to the boundary with Elmocte Way. Given the varied proximity of extensions to the boundary in the vicinity, no objection is raised with regard to the single storey extension being located immediately adjacent to the boundary. Furthermore, an extension of the same size and scale has previously been approved under application 16/2355/FUL. This permission has been part implemented through the construction of the single storey side extension accommodating the boiler room. The main difference between the previously approved scheme and the current scheme, is the design. Rather than a flat roof form, the applicant is now proposing that the side/rear extensions would have a crown roof form with a pitched roof porch feature to the front elevation. It is acknowledged that this would add further bulk to the extensions, particularly given the corner plot location. However, the provision of a mock pitch at single storey level would be more sympathetic to the traditional character of the Conservation Area. As such, given the planning history and the character of the area, no significant objection is raised.
- 6.2.7 The plans also indicate the provision of new boundary treatment adjacent to Elmcote Way. The existing close boarded timber fencing and gates (approximately 1.6m) would be replaced with a brick wall and timber gates with a maximum height of 1.9m. Whilst it is acknowledged that the brick wall would be higher than the existing boundary treatment, it is not considered that an increase of 0.3m would result in significant harm to justify refusal.
- 6.2.8 To the front of the dwelling, a crossover would be created along with a driveway. It is acknowledged that the loss of soft landscaping is regrettable given the prominent nature of the application site as located on a corner plot, however, the plans do illustrate that some soft landscaping would be retained, thereby minimising the impact of the increased extent of hardstanding. The plans specify that this would be a resin bound drive surface as per the details submitted and discharged under application 18/0573/DIS. A condition shall be added to the consent to ensure this is the case.
- 6.2.9 In summary, given the site circumstances, the wider character of the vicinity and the planning history of the site, it is considered that the development would be acceptable. The development would be in accordance with Policies CP1 and CP12 of the Core Strategy and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD.

6.3 Impact on amenity of neighbours

- 6.3.1 Policy CP12 of the Core Strategy states that the 'Council will expect all development proposals to protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space. Policy DM1 and Appendix 2 of the Development Management Policies LDD reflects the above guidance'.
- 6.3.2 A single storey side extension is located approximately 1m from the boundary with no.11. Whilst this extension has a relatively high roof form, this would be hipped away from the boundary which would minimise any adverse impact.
- 6.3.3 The applicant is also proposing the provision of a two storey side/rear infill extension adjacent to no.11. With regard to the two storey side extension; the neighbouring dwelling also has a two storey side extension set at 1m from the boundary. The extension proposed at no.11 would be set forward of this neighbouring extension, however, it is not considered that this would be unduly overbearing as a distance of 2m would be retained between the extensions preventing any harm. The plans indicate that one window would be installed in the first floor flank wall facing towards this neighbour, however, this would serve a bathroom and as such can be conditioned to be obscure glazed and top vent

opening only. At ground floor level, three windows would be installed, however, given the ground floor nature of these windows and the distances between properties, no objection is raised. The plans also indicate the provision of a flank rooflight in the roofslope facing No.11. Given the rooflight would be flush with the roof form it is not considered that any adverse harm would occur in terms of overlooking. A condition shall also be added requiring that the rooflight is installed at a cil height of 1.7m above floor level. This would further minimise any harm.

- 6.3.4 The two storey extension adjacent to No.11 would infill the existing rear building line of the dwelling. Appendix 2 of the Development Management Policies LDD states the following with regard to two storey developments:

'Rear extensions should not intrude into a 45 degree splay line drawn across the rear garden from a point on the joint boundary, level with the rear wall of the adjacent property. This principle is dependent on the spacing and relative positions of the dwellings and consideration will be given to the juxtaposition of properties, land levels and the position of windows and extensions on neighbouring properties'

- 6.3.5 In this instance, the block plan indicates that there would be no intrusion of the 45 degree line and therefore it is not considered that the two storey infill extension would be unduly overbearing with regard to this neighbour. Furthermore, any harm to this neighbour is also mitigated due to the fact that the first floor rear facing window at this dwelling is set in from the corner of this property. It is also noted that this neighbour has been substantially extended at ground floor level (not indicated on the submitted block plan) which further minimises any adverse harm.
- 6.3.6 To the other side of the dwelling, further single storey and two storey side infill extensions are also proposed. It is not considered that these extensions would result in any harm to the neighbouring dwelling to the north, No.15 Elmcote Way due to the separation of the highway. The single storey side extension would wrap around the rear of the dwelling creating a single storey rear extension. Appendix 2 of the Development Management Policies LDD advises that generally the maximum depth for single storey rear extensions to detached dwellings would be 4m. In this case, the extension would have a stepped depth, with a minimum depth of 3.3m adjacent to No.11, stepping out to a depth of 4.7m adjacent to Elmcote Way. There would be no harm to No.11 given that this neighbour already has single storey rear extensions. Furthermore the separation between the extensions would also prevent the extensions having a significant overbearing impact. Whilst the extension would exceed the depth generally considered acceptable under Appendix 2, this element is set away from the boundary and as such no harm would occur.
- 6.3.7 The application must also be considered with regard to the neighbour to the rear of the site, No.1 Elmcote Way. The rear boundary of the site adjoins the flank boundary of No.1 Elmcote Way and as such there would be no impact to the private amenity space to the rear of the dwelling. It is also noted that the rear wall of the proposed two storey extensions would be flush with the rear gable of the existing dwelling and consequently, it is not considered that there would be increased impact relative to the existing situation.
- 6.3.8 The proposed brick wall would be erected on the boundary with Elmcote Way. The proposed boundary treatment would be only 0.3m higher than the existing close boarded fence and therefore would be unlikely to have a significant impact on the amenities of any neighbouring property. Likewise the alterations to the frontage, would not have an impact on the amenities of neighbouring dwellings.
- 6.3.9 In summary, subject to conditions, the development is considered acceptable and in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

6.4 Amenity Space Provision for future occupants

6.4.1 Appendix 2 of the Development Management Policies LDD advises that four bedroom dwellings should have an amenity space of 105 square metres. In this case, the garden would still retain an area of approximately 170square metres which would therefore be in accordance with this guidance.

6.5 Wildlife and Biodiversity

6.5.1 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.

6.5.2 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.

6.5.3 The application has been submitted with a Biodiversity Checklist which sets out that no further biodiversity surveys are required. However, given that the works would affect the roof space, it is considered appropriate to add an informative reminding the applicant of what to do should bats be found during the course of the development.

6.6 Trees and Landscaping

6.6.1 Policy DM6 of the Development Management Policies LDD advises that development proposals should demonstrate that existing trees will be safeguarded and managed during and after development in accordance with relevant British Standards.

6.6.2 The Landscape Officer notes that the applicant contains a very attractive monkey puzzle tree which would not be directly affected by the proposal but will need to be protected. Concerns were also raised with regard to the tree protection plan, due to the concerns over the provision of 'chestnut paling' fencing. In response, an amended tree protection scheme has been submitted, the Landscape Officer has advised that these details would be acceptable and that the plans should be constructed in accordance with these details.

6.6.3 It is unclear whether the tree protection measures are in place and therefore a condition shall be added specifying that the measures outlined in the new document must be in place within one month of the date of this permission.

6.7 Highways, Access and Parking

6.7.1 Policy CP10 of the Core Strategy advises that development should demonstrate that it 'provides a safe and adequate means of access'. In this case, Croxley Green Parish Council have raised concerns regarding the provision of a new access.

6.7.2 Herts Highways have been consulted and have raised no objection to the provision of a new crossover given the location in a cul-de-sac with a low number of vehicular movements. It was suggested that a pre-commencement condition would be required with regard to visibility splays in order to demonstrate that there would be no harm to the safety of the adjacent highway. In this case, the applicant has submitted this information prior to determination and the Highways Officer has confirmed that this information would be acceptable and there is no requirement for additional pre-commencement conditions.

6.7.3 Policy DM13 and Appendix 5 of the Development Management Polices LDD provides guidance on parking and sets out that a four bedroom dwelling should have three parking

spaces. Additional hardstanding would be constructed to the front of the site which would provide sufficient provision for three car parking spaces. With regard to drainage, the plans indicate that a drainage channel would be provided to the front of the site. This is considered to be acceptable and no objection is made in this regard.

7 Recommendation

7.1 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:

TRDC 001 (Location Plan), TRDC 002 (Block Plan), DHP/545P Sheet 1 of 5 (C),
DHP/545P Sheet 2 of 5 (C), DHP/545P Sheet 3 of 5 (C),
DHP/545P Sheet 4 of 5 (C), DHP/545P Sheet 5 of 5 (C)

Reason: For the avoidance of doubt, in the proper interests of planning and to protect the character and appearance of the Conservation Area; in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Croxley Green Conservation Area Appraisal.

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 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 building/extension hereby permitted the window(s) in the first floor flank elevation facing No.11 The Green shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

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

- C6 The first floor flank rooflight facing no.11 The Green hereby permitted shall be positioned at a minimum internal cil 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).
- C7 The driveway shall be constructed using the surface materials agreed under 18/0573/DIS.
- Reason: To ensure that the proposed hardstanding is sympathetic to the character and appearance of the Croxley Green Conservation Area and to minimise danger, obstruction and inconvenience to highway users in accordance with Policies CP1, CP10 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).
- C8 Notwithstanding the details on the approved plans, within one month of the date of this permission, the protective measures, including fencing, shall be undertaken in accordance with the approved scheme as indicated on the Tree Protection Scheme, Issue B, 04 October 2018 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 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).

7.2 Informatives:

- I1 With regard to implementing this permission, the applicant is advised as follows:
- All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.
- There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.
- Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) (for self-build housing) 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 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: 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).

- 15 Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

- 16 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/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047