

13. 18/1664/FUL: Construction of a detached two storey dwelling including balcony to rear, with associated hardstanding and landscaping including alterations to levels, change of use of land to residential and installation of gates AT LAND ADJACENT TO KINGS VIEW FARM, TOMS LANE, KINGS LANGLEY, HERTS (DCES)

Parish: Abbots Langley

Ward: Gade Valley

Expiry of Statutory Period: 08 October 2018

Case Officer: Claire Wilson

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: This application has been called in by Abbots Langley Parish Council.

1 Planning History

- 1.1 01/01700/CLED - Certificate of Existing Use for use of barn for garage and domestic storage. Approved - 15.02.2002.
- 1.2 01/01701/CLED - Certificate of Existing Use for access and parking. Approved - 15.02.2002.
- 1.3 01/01702/CLED - Certificate of Existing Use for change of use from barn to garage/playroom and store. Approved - 15.02.2002.
- 1.4 03/1472/FUL - Erection of a stable block. Approved - 05.12.2
- 1.5 04/0534/CLED - Certificate of Existing Use for use of building (a former poultry shed) for domestic storage. Approved - 29.06.2004.
- 1.6 04/0558/CLED - Certificate of Existing Use for use of building as garage/domestic store. Approved - 29.06.2004.
- 1.7 06/0252/CLED - Certificate of lawfulness existing development: Usage of land for residential
- 1.8 07/0068/CLED - Certificate of Lawfulness Existing Use/Development: Use of The Bar House, garage, gardens and parking area as a separate self-contained dwelling house and curtilage
- 1.9 08/1101/FUL - Demolition of various outbuildings and The Bar House (residential dwelling) and erection of a four bed dwelling with rooflights to the front and rear elevations, conversion of part of barn/garage to habitable accommodation with alterations to fenestration detail and floor levels, internal alterations to The Cottage with single storey rear extension linking the dwelling to the barn/garage, two single storey rear extensions to the main dwelling known as The Farmhouse and a single storey detached garage and internal alterations with the removal of a large area hardstanding (used for parking), resiting of vehicular access and associated landscaping. Application permitted 22.07.2008
- 1.10 11/0975/FUL - Renewal of 08/1101/FUL: Demolition of various outbuildings and The Bar House (residential dwelling) and erection of a four bed dwelling with rooflights to the front and rear elevations. Conversion of part of barn/garage to habitable accommodation with alterations to fenestration detail and floor levels. Internal alterations to The Cottage with single storey rear extension linking the dwelling to the barn/garage. Two single storey rear extensions to the main dwelling known as The Farmhouse and a single storey detached garage and internal alterations with the removal of a large area hardstanding (used for parking). Resiting of vehicular access and associated landscaping. Application permitted 06.09.2011.

- 1.11 14/0629/FUL - Renewal of planning permission 11/0975/FUL: Demolition of various outbuildings and The Bar House (residential dwelling) and erection of a four bed dwelling with rooflights to the front and rear elevations. Conversion of part of barn/garage to habitable accommodation with alterations to fenestration detail and floor levels. Internal alterations to The Cottage with single storey rear extension linking the dwelling to the barn/garage. Two single storey rear extensions to the main dwelling known as The Farmhouse and a single storey detached garage and internal alterations with the removal of a large area hardstanding (used for parking). Resiting of vehicular access and associated landscaping. Application permitted 10.06.2014
- 1.12 14/1746/FUL - Demolition of existing barn and outbuildings and replacement with two storey dwelling. Demolition of existing bungalow and erection of detached 3-bay garage. Alteration to existing access and creation of additional new access. Application permitted 24.11.2014. Permission part implemented.

2 Site Description

- 2.1 The application site consists of a parcel of land located between Kings View Farm House and Hill View Barn, which is accessed via a private access road from Toms Lane. The wider streetscene of Toms Lane consists of a range of dwellings of varied size and architectural design. The site is located within the Metropolitan Green Belt.
- 2.2 Kings View Farm House is a detached chalet bungalow which has been extended; it is screened from the access road by close boarded timber fencing and metal gates approximately 1.8m in height. The principal elevation of this dwelling faces onto the application site. Hill View Barn located to the south of the site is occupied by an existing residential dwelling which is part two storey and has been extended rearwards with a single storey extension. The boundaries with both neighbours consists of a mix of close boarded timber fencing and low level post and rail fencing towards the rear section of the site.
- 2.3 The parcel of land subject of the current application historically formed part of a wider site which was granted planning permission for redevelopment. This shall be discussed in more detail below. At present the site is free of built form.

3 Description of Proposed Development

- 3.1 The applicant is seeking full planning permission for the construction of a detached dwelling including Juliet Balcony to the rear, with associated hardstanding including alterations to land, change of use of land to residential and installation of gates.
- 3.2 The proposed dwelling would take the form of a part two storey/part single storey detached dwelling. The ground levels would be altered on site such that the ground floor of the dwelling would be located approximately 3m lower than the land level to the front of the site. The main two storey element would be set back by a minimum of 29.5m from the adjoining highway with the single storey front projection being set back by a minimum of 21.5m. The single storey element would be set in from the boundary with Hill View Barn by approximately 2.9m and the first floor element would be set in from the boundary with this neighbour by approximately 5.9m. The flank elevation of the dwelling would be set in from the boundary with Kings View Farm by approximately 2.5m.
- 3.3 The design of the two storey dwelling would consist of two elements. The first element would be located adjacent to the boundary with Kings View Farm. This would have a width of approximately 6.9m and a maximum depth of 13.2m. It would have a hipped roof form with a maximum height from the lowest ground level to the ridge of 7.1m. To the front of this element would be a flat dormer style feature which would be subordinate to the roof form. The roof would be 'anthracite grey' standing seam zinc. Four rooflights would be located in the roof slope facing towards Kings View Farm.

- 3.4 The second two storey element would have a width of 10.6m and a depth of 7.1m to the projection of the rear dormer style feature. It would have a gable ended roof form with a height of approximately 6.9m (when taken from the ground level indicated on the front elevation to the ridge). To the front, a single rooflight is proposed. To the rear, a dormer style feature is proposed which would have a width of 7m and a depth of 2.8m. This section of the dwelling would be black timber clad.
- 3.5 The single storey element would be located adjacent to the boundary with Hill View Barn. It would have a width of 6.5m when viewed from the front elevation. It would have maximum depth of 22m and would have a flat roof form with a maximum height of 3.2m; the roof is proposed to be a green roof form. The single storey element would be used to accommodate an occupant of the dwelling who has significant care requirements. The following is set out in the Design and Access Statement

The site was chosen by the applicant family for its convenience to the specialist school attended by the severely disabled daughter.....

The care requirements have established the need for accessible bedroom, bathroom and hydrotherapy pool layouts (adjacent to each other and connected by overhead hoist), dedicated therapy room with associated equipment store, utility and a carers suite all at ground floor level and directly connected to the covered garage space. The garage space has been sized and positioned to allow ramp transfer from vehicle to dwelling in all weathers. Kitchen and family dining areas are sized to allow wheelchair access to all parts and a platform lift has been accommodated in the centre of the plan.

- 3.6 To the front of the site, a driveway would be created which would provide access to the proposed garage and a further parking area to the front of the dwelling. The remaining frontage would be laid to soft landscaping. The front boundary treatment would consist of close boarded fencing with gates across the access which would be set by approximately 1.2m.
- 3.7 To the rear, a patio area is proposed which would have a maximum depth of approximately 5.7m from the rearmost projection of the dwelling. The remaining garden area would be laid to lawn.

4 Consultation

4.1 Statutory Consultation

4.1.1 Abbots Langley Parish Council: [Object]

Members object to this application for a change of use of land to residential, to accommodate a large new build property, out of keeping with the surrounding buildings and within the green belt. Members do recognise there may be special circumstances. If officers are minded to approve this application then Members request that it is referred to Three Rivers Planning Committee for consideration.

4.1.2 Hertfordshire County Council: [No objection]

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.

HIGHWAY INFORMATIVES: HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

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

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 the creation of a four-bed dwelling and associated works at Kings View Farm, Toms Lane, Kings Langley.

The proposed property is located approximately 90m from the nearest highway on Toms Lane. The property is accessed via a private access road, which is also used to access five existing properties. The proposals include the provision of a driveway which includes three parking spaces, the dimensions of which are considered to be acceptable as by HCC as Highway Authority. Vehicles parking on site are able to turn around on site and egress to the private access road in forward gear, which would be important when taking into consideration the narrow width of the road.

Although the proposed dwelling is accessed from a private road, HCC as Highway Authority would recommend that the new access is built to a standard that is in accordance with MfS and Roads in Hertfordshire; Highway Design Guide. HCC would recommend that the proposed gates are set back to a minimum 5.5m from the edge of the carriageway of the access road to enable a vehicle to wait clear of the road whilst the gates are being opened and closed.

REFUSE / WASTE COLLECTION: No specific details have been provided as part of the application. Provision should be made for an on-site bin-refuse store within 30m of the dwelling and within 25m of the kerbside/bin collection point and ensure that bins are not store on or cause an obstruction on the highway. The collection method must be confirmed as acceptable by Three Rivers District Council waste management.

EMERGENCY VEHICLE ACCESS: As part of the Highway Authority's assessment of this planning application, emergency vehicle access issues have been identified which may benefit from input from Herts Fire and Rescue. Therefore, details of the proposal have been passed to them for attention. The proposed dwelling is more than the recommended emergency vehicle access of 45 metres from the highway on Toms Lane and the private access route is less than 3.7m wide.

CONCLUSION: HCC as Highway Authority has considered that the proposal is of a small scale residential development and would not have an unreasonable impact on the safety and operation of the nearest highway. HCC has no objections or further comments on highway grounds, subject to the inclusion of the above informatives and comments on emergency vehicle access.

4.1.3 Herts Fire and Rescue Services: [No objection]

We have examined the drawings and note that the access for fire appliances and provision of water supplies appears to be adequate. Herts Highways did invite us to comment due to the width of the access road and distance from the public highway but as there are existing properties in the road and a turning circle we do not object. Further comments will be made when we receive details of the Building Regulations application.

4.1.4 Landscape Officer: [No objection]

The current application proposes an amended footprint to a previously withdrawn scheme. However, my comments with application 18/0714/FUL (withdrawn) remain the same, in that no significant trees will be impacted by the proposed development. I therefore do not wish to raise any objections to the current application.

4.1.5 Hertfordshire Property Services: [No objection]

I refer to the above mentioned application and am writing in respect of planning obligations sought by the County Council towards fire hydrants to minimise the impact of development on Hertfordshire County Council Services for the local community. Based on the information provided to date we would seek the provision of fire hydrant(s), as set out within HCC's Planning Obligations Toolkit. We reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. HCC therefore seek the provision of hydrants required to serve the proposed buildings by the developer through standard clauses set out in a Section 106 legal agreement or unilateral undertaking.

Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the fire service pumping appliance. The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22). In practice, the number and location of hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed. Section 106 planning obligation clauses can be provided on request.

Justification: Fire hydrant provision based on the approach set out within the Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet Panel on 21 January 2008 and is available via the following link: www.hertsdirect.org/planningobligationstoolkit

The County Council seeks fire hydrant provisions for public adoptable fire hydrants and not private fire hydrants. Such hydrants are generally not within the building site and are not covered by Part B5 of the Building Regulations 2010 as supported by Secretary of State Guidance "Approved Document B".

In respect of Regulation 122 of the CIL Regulations 2010 the planning obligations sought from this proposal are:

(i) Necessary to make the development acceptable in planning terms.

Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Conditions cannot be used cover the

payment of financial contributions to mitigate the impact of a development (Circular 11/95: Use of conditions in planning permission, paragraph 83).

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22).

(ii) Directly related to the development; Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

(iii) Fairly and reasonable related in scale and kind to the development. Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

4.1.6 Environmental Protection: [No objection]

The bins must be on the boundary by the gate on collection day.

4.1.7 National Grid: No comments received

4.1.8 Thames Water: No comments received

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 28 No of responses received: 4 objections received.

4.2.2 Site Notice: Expiry: 27.09.2018 Press notice: N/A

4.2.3 Summary of Responses:

- Original permission granted with a number of restrictions preventing the enlargement of the dwelling, alterations to the dwelling, alterations to the roof, no further openings, prevention of further buildings, no further hardstanding, no alteration of a fence. These restrictions are broken
- Plot was sold with specific planning consent; large two storey house cannot be accommodated
- Sensitive to family needs but object to the huge scale of the design and its intrusive placement so far down the site dominating views
- Object to upside down living arrangements; overlooking many houses and gardens
- Upstairs living room has been re named as the guest room. A guest room indicates occasional use as a bedroom. No provision has been made in any other area of the building to create a living room area, so it is in question what the final used to be. Proposed Sections 02 still holds the living room in same upstairs location
- Cannot be described as 'practically brownfield'
- House should be made smaller/moved up the site
- Size is not in keeping with neighbouring properties which are of modest dormer construction

- Outlook will be changed dramatically on Green Belt land which was not designated for development
- Impact on views across the Gade Valley which goes against the openness of the Green Belt
- Inappropriate development
- Street elevation and boundary plan shows the roof line height the same as The cottage. However, the proposed dwelling is far taller than the building it replaces
- Red line boundary lines on the plot have been altered since the last application and blue boundary lines are unclear as to what they refer to
- Boundaries between the three properties have changed since 14/0629/FUL. The red line alongside the four bedroom house were level with 51 and 53 Toms Lane. The red lines in latest application for the development extends further downhill (more or less to the boundary with 49 and 47 Toms Lane.

5 Reason for Delay

5.1 Committee Cycle

6 Relevant Planning Policy, Guidance and Legislation

6.1 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 2018 NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

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

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 CP1, CP2, 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 Introduction

7.1.1 The wider Kings View Farm site was originally a poultry farm; with the site being occupied by one residential dwelling (Kings View Farm House) and a number of ancillary buildings. Over a period of time, residential use was established at two further buildings on site; Kings View Cottage (now known as Hill View Barn) and The Bar House (which has now been demolished).

7.1.2 In 2008, planning permission was granted for the redevelopment of the whole site with the description as follows:

08/1101/FUL: Demolition of various outbuildings and The Bar House (residential dwelling) and erection of a four bed dwelling with rooflights to the front and rear elevations, conversion of part of barn/garage to habitable accommodation with alterations to fenestration detail and floor levels, internal alterations to The Cottage with single storey rear extension linking the dwelling to the barn/garage, two single storey rear extensions to the main dwelling known as The Farmhouse and a single storey detached garage and internal alterations with the removal of a large area hardstanding (used for parking), resiting of vehicular access and associated landscaping.

7.1.3 Essentially, this would have resulted in the site containing three separate residential dwellings, including the original Kings View Farm House. This permission was subsequently renewed in 2011 (11/0975/FUL) and 2014 (14/0629/FUL).

7.1.4 A further application was submitted in 2014 (14/1746/FUL) which altered the original permissions. The description is as follows:

Demolition of existing barn and outbuildings and replacement with two storey dwelling. Demolition of existing bungalow and erection of detached 3-bay garage. Alteration to existing access and creation of additional new access.

7.1.5 This application still would have resulted in there being a total of three dwellings across the wider Kings View Farm Site. It removed the previously approved glazed link between what is now known as Hill View Barn and the dwelling to be located on Plot W (between Kings View Farm House and Hill View Barn, the plot subject of the current application). It also approved a large detached triple garage to be located forward of the dwelling on this plot and increased the number of vehicular access points from two to three.

7.1.6 It is understood that application 14/1746/FUL has now been part implemented in so far as the previously-existing ancillary outbuildings have been demolished. In addition, the

building known as The Cottage (Hill View Barn) has been further extended. The dwelling which was to be located on Plot W, between Kings View Farm and Hill View Barn has not been erected to date. Therefore there is a vacant plot, the subject of the current application located between the two existing dwellings. However, given that the above permission has been implemented, the dwelling granted permission in 2014 could still be erected at this time subject to compliance with the conditions attached to that permission. The redevelopment of the site has always included the provision of three separate residential units and therefore the principle of development has been historically established.

7.2 Impact on the Green Belt

7.2.1 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. Green Belts can shape patterns of urban development at sub-regional and regional scale; and help to ensure that development occurs in locations allocated in development plans. They help to protect the countryside, be it in agricultural, forestry or other use.

7.2.2 The NPPF states that Local Planning Authorities should consider the construction of new buildings in the Green Belt as inappropriate development, with the exception of:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites) and;
- g) limited infilling or the partial redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

7.2.3 Paragraph 134 of the NPPF sets out the five purposes of including land within the Green Belt:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 7.2.4 Policy CP11 of the Core Strategy and Policy DM2 of the DMP LDD relate to development within the Green Belt and reflect the guidance as set out in the NPPF.
- 7.2.5 The application site consists of a piece of land located between two residential dwellings. However, historically, the application site formed part of the wider development site of Kings View Farm. As set out previously, the original site consisted of the existing farm house and a number of ancillary outbuildings, some of which were in residential use. Permission was granted and subsequently renewed in 2008, 2011 and 2014 for the redevelopment of the wider site to include three residential dwellings (including the original farm house and cottage, now known as Hill View Barn). A further new application was submitted and granted planning permission under application 14/1746/FUL. It appears that the latest permission has been part implemented. Therefore, taking into account the historic situation, it is considered that the proposal should be considered against exception (g) of the NPPF as the site is previously developed land. In addition to this, its redevelopment has already been permitted and part implemented. Therefore, to determine whether the proposed development is acceptable in Green Belt terms, it is necessary to compare the current scheme to the originally granted 2008 scheme (subsequently renewed) and application 14/1746/FUL which appears to have been part implemented.
- 7.2.6 Under application 14/1746/FUL, the permitted dwelling to be located on Plot W had a footprint of approximately 199square metres (excluding the detached garage) and a floor space of approximately 372square metres. The dwelling proposed under the current scheme would have a footprint of approximately 302m² and an external floor area of approximately 468square metres. This would equate to an approximately 25% increase in floor space. As such, when comparing it to the existing development which could be implemented, it is not considered that this would result in a materially larger dwelling and therefore should be considered an appropriate form of development. However, it is also acknowledged that application 14/1746/FUL already included an increased external floor area relative to the previous permissions. The officer's report relating to renewal application 14/0629/FUL notes that the floor space of the dwelling on Plot W would have a permitted floor space of 268square metres. Therefore, in comparing the currently proposed floor space to that permitted in 2008, there would be a 74% increase in floor area. It is noted that the submitted Design and Access Statement notes the internal floor area figure for the plot as 410square metres; however, this floor space also includes the link and the garage which served The Cottage (now Hill View Barn). However, notwithstanding the above, the NPPF specifically states that proposals should be compared to existing developments, and therefore it is considered that the starting point in this case is the scheme that could currently be implemented.
- 7.2.7 Whilst numerical calculations are a useful indication, it is necessary to consider other factors including the design, siting and height of the dwelling in determining whether there would be any increased harm to the openness of the Green Belt. In this case, it is considered that the development by reason of its design and siting would actually result in an increase in openness to the Green Belt relative to the previous approvals. The most recent renewal 14/0629/FUL included a single storey link between The Cottage (now Hill View Barn) and the dwelling to be located on Plot W. Whilst the link would have been single storey this still resulted in a spread of development across the site to the detriment of the openness of the Green Belt. In granting a new permission under application 14/1746/FUL, the single storey link was removed resulting in the provision of two separate detached dwellings which was considered to visually enhance the amenities of the site. However, that permission now included a detached triple garage to be located at the front of the site forward of The Cottage and Plot W. The current application results in the removal of the garage, therefore opening up space to the front of the site. Furthermore, the dwelling approved under application 14/1746/FUL was indicated to be located in relatively close proximity to the side boundary. The current scheme indicates a distance of 2.9m to the single storey element with a distance of 5.9m retained to the first floor

element. Consequently, this scheme is considered to be a significant improvement to the openness of the Green Belt relative to the previous approvals.

- 7.2.8 Furthermore, whilst it is acknowledged that this development would result in an increase in footprint, the dwelling would be sited further back on the plot and at a lower land level relative to the front boundary. These factors help to minimise the visual impact of the development when viewed from the frontage by opening up views rearwards. The submitted streetscene also indicates that the dwelling would have a lower ridge height than both neighbours due to the alterations to land levels, and as such demonstrates the low visual impact of the development. A condition shall be added requiring details of levels to be submitted to ensure that the impact of the development would be minimised.
- 7.2.9 It is also emphasised that a significant proportion of the dwelling would be single storey only with a flat green roof form. This element would be located approximately 2.9m from the boundary with Hill View Barn. It is therefore considered that due to the difference in land levels and the low level roof form that a significant proportion of space would be retained between the neighbouring and proposed dwellings, more so than when considered against the most recently approved development. Therefore, it is considered that this scheme would further enhance a sense of openness at the application site. A condition shall be added removing permitted development rights in order to ensure there is future control over development on site.
- 7.2.10 In terms of design, the building has been designed to be agricultural in appearance with the main two storey and single storey elements being black timber clad. This is considered to be an appropriate form of design, and in keeping with the development on the adjacent site. A condition shall be attached requiring the submission of external materials to ensure that the development would not appear excessively prominent.
- 7.2.11 It is therefore considered that when assessing the development against criteria G of the NPPF (Para 145), the development would not result in any increased harm to the openness of the Green Belt than what has previously been permitted and can also be implemented. As such, it is considered that the scheme would represent an appropriate form of development, which would not result in material harm to the Green Belt in accordance with Policies CP11 of the Core Strategy, Policy DM2 of the Development Management Policies LDD and the provisions of the NPPF.

7.3 Impact on Character and Street Scene

- 7.3.1 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'.
- 7.3.2 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 be only be supported where it can be demonstrated that the proposal will not result in:
- 7.3.3 The proposed development would take the form of a part single storey, part two storey detached dwelling. The access road which the proposed dwelling would front is generally characterised by detached dwellings whilst Toms Lane consists of a range of dwellings of

varied size and design. As such, the provision of a detached dwelling in this location would not be uncharacteristic.

7.3.4 In terms of siting, the proposed dwelling would sit further back on its plot than both adjacent neighbours, with the two storey front projection being set a distance of approximately 29.5m from the front boundary. However, there is not a uniform building line in this location with Kings View Farm to the north of the plot located in closer proximity to the highway than Hill View Barn to the south of the plot. Furthermore, application 14/1746/FUL also gave permission for the provision of a dwelling which would be set further back in relation to both neighbours, at a minimum distance of 24.5m from the front boundary. Whilst it is acknowledged that the proposed development would be set further away from the highway than the previous consented dwelling, it is not considered that this would result in significant harm to the character and appearance of the streetscene, particularly given the rural appearance of this section of Toms Lane and the sunken nature of the proposed building into the sloping landscape.

7.3.5 Appendix 2 of the Development Management Policies LDD provides guidance on spacing to the boundaries, and advises that in order to prevent a terracing effect, the first floor element of a two storey dwelling should be set in from the boundary by 1.2m. However, this distance should be increased in lower density areas in order to retain the character and appearance of the locality. In this instance, the first floor element of the dwelling would be set in from the common boundary with Hill View Barn to the south by approximately 5.9m and in from the boundary with Kings View Farm by approximately 2.5m. These distances would be in excess of the guidance set out in Appendix 2 and furthermore are considered appropriate distances given the rural context in which the site is located.

7.3.6 In terms of design, the dwelling would be part two storey and part single storey. The two storey element would consist of a hipped roofed front projection which would have an external brick finish with the other two storey section being gable ended and black timber clad. The single storey element projection would sit forward of the main two storey elements and would have a flat roof form. The submitted Design and Access Statement sets out the following in relation to the design:

'In terms of massing, the dwelling reads as a cluster of three simple volumes, intended to reflect the nature of the simple agricultural buildings that stood here previously.....

The proposed facing material reflect the hyper local context of the facades of The Cottage (Hill View Barn) and The Farm House'

7.3.7 Given the use of the materials and the almost rural appearance of the proposed dwelling it is not considered that the dwelling would be excessively prominent. To ensure that any external materials are appropriate to the locality, a condition shall be added requiring the submission of external materials (including hard surfacing materials). Any visual impact of the proposed dwelling would be further reduced by reason of the proposed levels. The submitted sections indicate that the dwelling would be located at a lower level relative to the adjacent highway and this, combined with the dwelling being set significantly back relative to the highway would result in a low key dwelling which would not be dominating to its setting. The submitted streetscene also indicates that the dwelling would have a lower ridge height than the adjacent neighbour, Hill View Barn which is further indicative that the dwelling would not be a dominating addition to the streetscene. The plans indicate an alteration to land levels and in order to ensure that the details of the levels are considered appropriate, a condition is suggested requiring details of existing and proposed spot heights to be submitted to the Local Planning Authority prior to the commencement of the development. The applicant has agreed to the imposition of this condition.

- 7.3.8 The design of the rear elevation includes a dormer style window. Appendix 2 of the Development Management Policies LDD advises that dormer windows should be subordinate to the main roof form, they should be set down from the eaves, down from the ridge and back from the plane of the roof form. The plans indicate that the dormer would be subordinate to the roof form and would comply with the guidance set out in Appendix 2. The plans also include a hipped roofed projection located to one side of the dwelling with gabled Juliet Balcony feature. This would not be readily visible from the frontage, however, the main hipped roof form acts to reduce the bulk and massing of the dwelling as a whole and as such no objection is raised in this regard.
- 7.3.9 To the front of the dwelling would be a driveway, with the perspective drawings indicating a large extent of soft landscaping which would ensure that the rural character of the area is retained. Given the sensitive nature of the locality, a condition is suggested requiring the submission of a hard and soft landscaping scheme. The plans also indicate the provision of boundary treatments including close boarded fencing and gates to the frontage. Given that properties within the vicinity including both adjacent neighbours have similar boundary treatments, it is not considered that this would be uncharacteristic.
- 7.3.10 In summary, subject to the conditions suggested, the development would not have a significant impact on the visual amenities of the streetscene or wider area. The development is considered to be 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.

7.4 Impact on amenity of neighbours

- 7.4.1 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'. Appendix 2 of the Development Management Policies LDD states that 'oversized, unattractive, and poorly sited development can result in loss of light and outlook for neighbours and detract from the character and appearance of the streetscene'.
- 7.4.2 As already set out, the proposed dwelling would be set back further to the rear, than both adjacent neighbours. Appendix 2 of the Development Management Policies LDD advises the following with regard to two storey developments:

'Two storey development at the rear of properties should not intrude into a 45 degree splay line 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 properties and consideration will be given to the juxtaposition of properties, land levels and the position of windows and development on neighbouring properties'.

- 7.4.3 It is noted that Hill View Barn is not shown accurately on the submitted block plan as the plan does not include the recently completed single storey rear extension, but, regardless of this, the development would intrude the 45 degree splay line. However, in this case there would be no harm for the following reasons. The plans indicate that the two storey element of the proposal would be sited approximately 5.9m from the boundary with a distance of 13.7m being retained between the proposed two storey flank wall and the existing flank wall of the neighbouring dwelling. The single storey element would be set in closer proximity, however, the plans indicate a minimum distance of 9.8m between the flank wall of this element and the flank of the neighbouring dwelling. Whilst there is no doubt that the dwelling would be visible and that the outlook would be altered from this dwelling, these distances would be sufficient to prevent the dwelling from being unduly overbearing or excessively prominent. Furthermore, the section drawings and the streetscene indicate that the dwelling would be of reduced height in comparison to the adjacent dwelling which further minimises any harm. Given the site circumstances,

including the difference in land levels and the distances between properties, it is not considered that any adverse harm would occur.

7.4.4 With regard to Kings View Farm, this property sits in close proximity to the adjoining highway and its principle elevation faces onto the application site. When a 45 degree line is taken from what would be classed as its flank elevation, there would be an intrusion of the 45 degree line. However, again, a distance of approximately 13.5m would be retained between the flank wall of this neighbouring dwelling and the proposed dwelling which is sufficient for the dwelling to not be unduly overbearing. As already set out the land levels would be such that the dwelling would be of a reduced height which would again reduce any adverse harm to this neighbour.

7.4.5 With regard to fenestration detail, the plans indicate that the flank elevation of the single storey element includes a number of windows. However, it is not considered that these would result in any harm in terms of overlooking given the dwelling would be set at a lower level relative to the neighbour, and the sections indicate that the glazing would be screened by close boarded fencing. As such no objection is raised. There would also be two first floor flank windows. In this case, the glazing would serve en-suite bathrooms which are classed as non habitable and therefore can be conditioned to be obscure glazed and top vent opening only.

7.4.6 The rear elevation includes a Juliet style balcony which would be located in the hipped projection adjacent to Kings View Farm. Residents on Toms Lane, have raised concern with regard to overlooking. This concern is acknowledged, however, views from the Juliet Balcony would be directed rearwards down the rear garden of the application dwelling and there would not be direct views over the rear gardens of those neighbours fronting Toms Lane. In addition, the properties fronting Toms Lane generally have gardens in excess of 40m depth which is considered sufficient to prevent overlooking, particularly given this is not a back to back relationship and taking the following guidance on back to back distances set out in Appendix 2:

Distances between buildings should be sufficient so as to prevent overlooking, particularly from upper floors. As an indicative figure, 28 metres should be achieved between the faces of single or two storey buildings backing onto each other or in other circumstances where privacy needs to be achieved. Distances should be greater between buildings in excess of two storeys (especially dwellings/flats) with elevations which directly face one another or in situations where there are site level differences involved.

7.4.7 It is also not considered that the proposed Juliet Balcony would result in adverse harm to the neighbours immediately adjacent to the application dwelling. The siting of the dwelling set back relative to both neighbours prevents impact to the private amenity space which is the section located immediately to the rear of both dwellings.

7.4.8 The plans indicate that there would also be glazing in the flank facing toward Kings View Farm, including the provision of a number of roof lights. Given their position as flush with the roof form, it is not considered that they would result in any significant overlooking, particularly given that the application dwelling would be set further back to the rear than Kings View Farm. However, a condition shall be added to ensure that the rooflights are set 1.7m above floor level.

7.4.9 Residents fronting Toms Lane have also objected to the development setting out that the dwelling would be intrusive as it is set further down the plot than previously and that it would result in the loss of outlook and loss of view. As already set out, the dwellings fronting Toms Lane have long rear gardens in excess of 40m, and as such, it is not considered that the dwelling would be unduly intrusive, particularly as it would be sunken into the ground levels. Whilst their outlook would be altered, in that residents would now view a dwelling, the distance prevents it from resulting in such harm to justify refusal on this basis. With regard to loss of a view over the Gade Valley; the loss of a private view is

not a material planning consideration. Residents have also queried the position of the red line on plan and what it presents as it now is located further rearwards than the previous permission. In response, the location of the red line defines the residential curtilage whereas the blue line represents land within the applicant's ownership, but not to be used as residential curtilage. It is acknowledged that the red line is positioned further back than previously approved, partly due to the different plan now proposed. However, it is not considered that any harm would occur as this in itself would not result in any harm to neighbouring properties.

- 7.4.10 There would be no impact to neighbours opposite the site due to the separation by the access track and in addition the set back of the dwelling by approximately 29.5m in relation to the adjacent highway.
- 7.4.11 Other neighbour objections received raised concern that the previous permission restricted further development of the development. Officers note that the resident appears to be referring to a condition removing permitted development rights. Given this proposal represents a completely different scheme, the above is not relevant to the consideration of this application.
- 7.4.12 In summary, subject to the conditions suggested, it is not considered that the development would result in a loss of residential amenities to neighbouring dwellings. 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.

7.5 Amenity Space Provision for future occupants

- 7.5.1 The land boarded in red is identified as residential curtilage with the blue line beyond identifying land within the applicant's ownership. This is not identified to be used as garden land.
- 7.5.2 The proposed dwelling would have six bedrooms; with both the carers accommodation and the guest room indicated as bedrooms. Appendix 2 of the Development Management Policies LDD advises that a six bedroom dwelling should have 147square metres of amenity space. The block plan indicates an amenity space of approximately 207square metres which would be sufficient to serve a dwelling of this size.

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 which sets out that no further biodiversity surveys are required. Given the application site does not contain any existing structures, it is not considered that there would be any adverse impact on any protected species.

7.7 Trees and Landscaping

- 7.7.1 The Landscape Officer has raised no objection with regard to the submitted application. However, in view of the sensitive nature of the site as located in the Metropolitan Green

Belt, it is considered necessary to add a condition requiring the submission of a hard and soft landscaping scheme.

7.8 Highways, Access and Parking

7.8.1 Policy CP10 of the Core Strategy advises that development should 'demonstrate that it provides a safe and adequate means of access'. Policy DM13 and Appendix 5 of the Development sets out the required car parking standards and states that a dwelling with four or more bedrooms should have five off street car parking spaces.

7.8.2 Herts Highways raise no objection to the proposed development. They have noted that whilst the site is accessed via a private access road, they would recommend that the access should be built to a standard that is in accordance with their requirements. They have also suggested that the proposed gates are set back by 5.5m from the adjacent highway. In response, it was suggested that the gates should be set back, however, the applicant advised that they would have concerns with regard to the gates being set further back as the topography of the plot steepens in this location. Given the provision of other boundary treatment located in similar locations to that proposed and the low traffic speed and frequency of use of the private lane, it is not considered that significant harm would occur.

7.8.3 The property would be able to accommodate three vehicles which would be in accordance with Policy DM13 of the Development Management Policies LDD

7.9 Sustainability

7.9.1 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.

7.9.2 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.

7.9.3 An Energy Statement has been submitted with the application which sets out that the 'proposed building specification is shown to meet Building Regulations Part L and reduce emissions by a further 29% through energy efficiency design. A condition shall be added to the consent requiring that the development is undertaken in accordance with Policy DM4 of the Development Management Policies LDD.

7.10 Refuse and Recycling

7.10.1 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 sight lines

7.10.2 No specific refuse and recycling storage is indicated on the submitted plans. Environmental Protection have raised no objection and have advised that the bins would be required to be left by the gates on the day of collection.

7.11 Affordable Housing

7.11.1 In view of the identified pressing need for affordable housing in the District, Policy CP4 of the Core Strategy seeks provision of around 45% of all new housing as affordable housing and requires development resulting in a net gain of one or more dwellings to contribute to the provision of affordable housing. Developments resulting in a net gain of between one and nine dwellings may meet the requirement to provide affordable housing through a financial contribution. Details of the calculation of financial contributions in lieu of on-site provision of affordable housing are set out in the Affordable Housing Supplementary Planning Document.

7.11.2 On 24 July 2018 the revised NPPF was published. Having regard to the Framework as a material consideration of significant weight, officers' view is that the local evidence of affordable housing need continues to deserve significant weight in deciding whether, for the purposes of Section 38(6), the revised Framework policies weigh sufficiently against the Core Strategy Policy CP4. Having undertaken this assessment in 2017 and further reviewed it post the new NPPF with regard to more up to date evidence, where available, officers are of the view that the Framework does not outweigh the weight to be attached to the local evidence of affordable housing need. As such proposals for the residential development of sites of 10 dwellings or less (not "major development") will currently be expected to contribute towards the provision of affordable housing in accordance with Policy CP4 as a condition of grant. The Council will keep this evidence under review.

7.11.3 The proposed development would result in a net gain of one additional dwelling which would result in a requirement for a commuted sum payment. The site is located in The Langleys and Croxley market area where the required sum is £750 per square metre of habitable floor space. Based on an internal habitable floor area of 200.8m², a commuted sum payment of £150,600 would be required.

7.11.4 The applicant submitted a Viability Statement in support of application 18/0714/FUL which concluded that it would not be viable for the developer to contribute to the provision of affordable housing. The submitted information was reviewed by an independent viability statement who concluded the following:

'It is our opinion that the scheme cannot provide an affordable housing payment and remain viable.

Should the Council be minded to grant planning approval it is our opinion the applicant should not be required to provide an affordable housing contribution.

7.11.5 The development proposed under this current submission is similar to that proposed under application 18/0714/FUL and the viability assessment was independently reviewed earlier this year. As such, with regard to the above, the Local Planning Authority will not be seeking a financial contribution towards affordable housing in this instance.

8 Recommendation

8.1 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:

P 2155-100 C, P 2155-101 a, P 2155 110 C, P 2155-111 D, P2155 112 D,
P2155 113 D, P 2155 114 D, P 2155 115 D, P 2155 116 D, P 2155 120

Reason: For the avoidance of doubt, in the proper interests of planning and to protect the openness and rural character of the Metropolitan Green Belt; in accordance with Policies CP1, CP2, CP4, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM2, DM4, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

- C3 No development shall take place until details of the existing site levels and the proposed finished floor levels and sections of the proposed buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: This condition is a pre commencement condition in order to ensure a satisfactory form of development relative to surrounding buildings and landscape and to meet the requirements of 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 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development.

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

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

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

Reason: To prevent the building being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C6 Prior to occupation of the development hereby permitted, a plan indicating the full details of the appearance and location of the proposed gate to be erected at the site entrance shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected prior to occupation in accordance with the approved details and shall be permanently maintained as such thereafter.

Reason: To ensure that the gate is sympathetic to the 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).

- C7 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).

- C8 Before the first occupation of the building/extension hereby permitted the window(s) in the first floor flank elevations shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The 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).

- C9 The rooflights hereby permitted shall be positioned at a minimum internal cill height of 1.7m above the internal floor level.

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

- C10 Immediately following the implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification) no development within the following Classes of Schedule 2 of the Order shall take place.

Part 1

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

Class B - enlargement consisting of an addition to the roof

Class C - alteration to the roof

Class D - erection of a porch

Class E - provision of any building or enclosure

Class F - any hard surface

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

- C11 The development shall not be occupied until the energy saving and renewable energy measures detailed within the Energy Statement submitted as part of the application are incorporated into the approved development.

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

- C12 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).

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) - 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 Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 13 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.
- 14 Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047
- 15 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> by telephoning 0300 1234047

