

6. 18/2354/RSP - Part Retrospective: Single storey rear extension, two storey side extension and loft conversion including provision of rear dormer window at 8 PUTTENHAM CLOSE, SOUTH OXHEY, WD19 7BJ. (DCES)

Parish: Watford Rural
Expiry of Statutory Period: 23.01.2019

Ward: Oxhey Hall and Hayling
Case Officer: Aaron Roberts

Recommendation: That Part Retrospective Planning Permission be Granted.

Reason for consideration by the Committee: This application is brought before the Committee as it has been called in by Watford Rural Parish Council.

1 Relevant Planning History

- 1.1 18/0790/FUL - Two storey and single storey side extension and single storey rear extension - Permitted, partially implemented.
- 1.2 18/1003/PDE - Prior Approval: Single storey rear extension (depth 4 metres, maximum height 2.8 metres and eaves height 2.65 metres) – No objection, partially implemented.
- 1.3 18/1272/CLPD - Certificate of Lawfulness Proposed Development: Loft conversion including dormer window to rear - Permitted, partially implemented.
- 1.4 18/0096/COMP - Construction of unauthorised outbuilding - Pending consideration.
- 1.5 18/0194/COMP - Implementation of planning permission 18/0790/FUL, 18/1003/PDE and permitted development at the same time. Pending consideration.

2 Description of Application Site

- 2.1 The application site is located on Puttenham Close, South Oxhey. Puttenham Close is a residential street characterised by terraced dwellings of uniform design and building line.
- 2.2 The application dwelling was, in its original form a two-storey end of terrace property with a dark tiled, pitched roof form and a red facing brick exterior.
- 2.3 The host dwelling has recently undergone significant extensions including a two storey and single storey side extension and single storey rear extension as well as a loft conversion including dormer window to the rear.

3 Description of Proposed Development

- 3.1 This application seeks part retrospective planning permission for a single storey rear extension, two storey side extension and loft conversion including provision of rear dormer window.
- 3.2 The two-storey side extension would have a width of 1.1m and would be built on the unattached flank elevation of the dwelling. The side extension would be built in line with the principal front elevation of the dwelling and would have a depth of approximately 7.0m to the original rear building line. The side extension would involve extending the roof of the dwelling. The existing ridge of the main roof would continue and retain the gable end. An obscurely glazed window serving a bathroom would be inserted in the ground floor flank elevation of the side extension and an obscurely glazed window would be inserted within the rear elevation at the first floor level. A first floor window serving the staircase would also be inserted in the flank elevation of the proposed extension.
- 3.3 The single storey rear extension would be built across the rear elevation of the existing dwelling and side extension and would have a width of approximately 7.1m and a depth of

4.0m. The extension would have a flat roof with an overall height of approximately 3.0m. A set of bi-fold doors and a window will be inserted in the rear elevation of the extension and two rooflights will be inserted into the roof.

- 3.4 Within the rear roofslope there would be a flat-roof dormer which would be approximately 5.1m wide, 2.9m deep and 2.3m high. Within the rear of the dormer there would be two windows, one triple casement window and a single casement window. Two roof lights will be located within the front roofslope.
- 3.5 As part of the works, the front boundary wall would be removed and the front porch would be removed and replaced with a roof canopy.
- 3.6 During the application process amended plans have been received showing a reduction in the width of the rear dormer window.

4 Statutory Consultation

4.1.1 Watford Rural Parish Council: [Objection]

'I write in connection with the above planning application. WRPC have examined the plans and local councillors know the site well. We wish to object to the development of land at this location for the following reasons:

We believe that this proposed plan fails under policy "DM13 Parking" of the Local Plan, as it clearly states in Appendix 5 under C3 Residential that 4 bedroom properties must have three assigned spaces within the curtilage. This property currently has 1 space allocated. Due to the severe parking issues currently experienced in this particular area Watford Rural Parish Council will contend that any development which adds to the parking issues will make the area deteriorate over time as more and more spaces are needed for this type of extension, especially down a linear cul-de-sac like this one. More and more visitors and household members park in the road causing issues to pedestrians and motorists alike which then causes failures under CP10 (I) of the TRDC's Local Development Framework - Core Strategy Document where it states that a development must make "adequate provision for all users, including car and other vehicle parking, giving priority to people with mobility difficulties, pedestrians, cyclists and equestrians".

In the near future, flats from phase 2 of the South Oxhey Initiative will be completed. These have 94 spaces allocated for 162 flats even though latest figures from the DfT state that car ownership currently stands at 1.38 cars per household for the South East. WRCP would like to make TRDC aware that this will possibly mean that 130 cars will be looking for parking in and around Puttenham Close as it is close by (in addition to their visitors parking). We respectfully request TRDC to take this into account for all residential extensions near South Oxhey Central which add extra bedrooms and therefore require extra parking.

We would also have reservations regarding the privacy of the neighbours and asked that this be especially investigated and to also ensure that the National Grids comments are taken into account before any work is undertaken. Looking at the history of the breaches to planning process we urge this to be done before any work is undertaken.

We respectfully ask this to be pulled into to planning committee please unless officers are minded to refuse.

Finally, please note that our submission is in respect of the proposed development. While we have taken every effort to present accurate information for your consideration, as we are not a decision maker or statutory consultee, we cannot accept any responsibility for unintentional errors or omissions and you should satisfy yourselves on any facts before reaching your decision.'

4.1.2 National Grid: [Advisory comment]

'Should you be minded to approve this application please can the following notes be included an informative note for the Applicant

Considerations in relation to gas pipeline/s identified on site:

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to'.

4.2 **Public/Neighbour Consultation**

4.2.1 Number consulted: 8

4.2.2 No of responses received: 5 objections, 0 letters of support

4.2.3 Site Notice: Further consultations required (expired 29.12.2018) Press notice: N/A

4.2.4 Summary of Responses:

When the property is rented out parking will become unbearable;
Have been building on Sunday mornings and there has been issues with dust;
Overdevelopment as the floor space would be doubled;
Issues relating to overshadowing as will block natural light, especially in the summer months and towards the end of the day. Loss of light was a concern for No.5, No.7 and No.9 Puttenham Close;
Lack of privacy as there will be a full view into the gardens of No. 5, No.7 and No.9 Puttenham Close from the rear dormer;
Concerns that the dwelling will be turned into a house of multiple occupancy;
The 4m single storey rear extension is too deep and will block sunlight during the latter part of the day;
The development is too close to the boundary;
The owner has shown no regard for planning/ building/ party wall legislations;
• The developments, particularly the loft conversion including rear dormer would not be in keeping with the area; the combination of the permitted outbuilding and the other extensions will leave No.7 Puttenham Close with no privacy.

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 Development 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, 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, DM6, DM13 and Appendices 2 and 5.

6.3 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.

7 **Planning Analysis**

7.1 Overview

7.1.1 On the 5 September 2018, an enforcement enquiry was received in regards to the potential breach of planning control relating to extensions which were not in accordance with planning permission 18/0790/FUL.

7.1.2 Site inspections was conducted on the 1 and 9 of October 2018, where it was ascertained that a single storey rear extension, two storey side extension and loft conversion, with front rooflights and rear dormer window were being constructed as a single operation and were not mutually independent as they were all physically attached together. Planning permissions 18/0790/FUL (Two storey and single storey side extension and single storey

rear extension), 18/1003/PDE (4m deep rear extension) and 18/1272/CLPD (Certificate of Lawfulness Proposed Development: Loft conversion including dormer window to rear) had been implemented as a single operation. Furthermore, during the site inspection it was ascertained that the loft conversion with rear dormer required planning permission in any event as it did not meet the requirement of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) as part of the entire roof was removed during the works.

7.1.3 In an enforcement letter dated 26 October 2018, the owner of 8 Puttenham Close was informed that as none of the individually permitted developments benefited from planning permission, a retrospective planning application would be required to formalise the works or that the works had to be in accordance with planning permission 18/0790/FUL. This current planning application has therefore been submitted in response to the enforcement investigation to date but its submission is not conclusive as to its acceptability which will be discussed within the following analysis sections.

7.2 Impact on Character and Street Scene

7.2.1 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'.

7.2.2 Specific guidance set out within Appendix 2 advises that single storey rear extensions to semi-detached properties may have a depth of 3.6m, although this should be reduced if the extension would adversely affect neighbouring properties or be unduly prominent. Two storey extensions will be assessed on their individual merits according to the characteristics of the particular property. To prevent a terracing effect and maintain spacing in character with the area, Appendix 2 advised that first floor side extensions should be a minimum of 1.2m from flank boundaries, although in high density areas 1m may be acceptable. In respect of dormer windows, the Design Criteria states that they should always be subordinate to the main roof. They should be set down from the existing ridge level; set in from either end of the roof and set back from the plan of the front or rear wall. Finally the roof form should respect the character and appearance of the house if possible.

7.2.3 The two-storey side extension would be set in 1.0m from the boundary with no.9. Although this falls short of the general 1.2m policy requirement, it is considered that the area is relatively high density and is characterised by terraced dwellings such that the 1m spacing would not be harmful or lead to a terracing effect within the streetscene. The side extension will be built in line with the principal front elevation of the dwelling. The roof will remain pitched with a flank gable to the existing height and profile and therefore will not unbalance the appearance of the row of terraced dwellings.

7.2.4 The rear extension would have a depth of approximately 4.0m and therefore does not comply with the Design Criteria guidance depth of 3.6m. However, given that the extension would be partially obscured by the existing dwelling when viewed from the streetscene, it is not considered that the rear extension would appear disproportionate to the host dwelling or unduly prominent within the streetscene. The single storey rear extension will be located at the rear of the site, however, given the end of terrace location of the dwelling, some limited views from public vantage points may be available. It is not however considered that it has a detrimental impact on the character and appearance of the street scene.

- 7.2.5 Although the dormer is not set down from the ridge in order that the required head height can be achieved, following the submission of amended plans which reduced the width of the rear dormer from 6.2m to 5.1m, it is not considered that the dormer would be excessively prominent as it is set in form both ends of the roof. The dormer would increase the bulk of the dwelling but would remain subordinate in the context of the extended building.
- 7.2.6 The fenestration proposed includes glazing at ground floor level in the rear elevation, at ground floor level on the two storey side extension, serving a W.C and at first floor level on the side extension, serving a stairwell. An obscurely glazed window would also be relocated in the rear elevation at first floor level. Two windows would be inserted in the rear elevation of the dormer. It is not considered that the glazing proposed is excessive and it would not appear harmful to the detriment of the character and appearance of the host dwelling or the streetscene.
- 7.2.7 In summary it is not considered that the proposed development would result in a significant adverse impact on the character or appearance of the host dwelling, street scene or area and the proposal would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies document.
- 7.3 Impact on amenity of neighbours
- 7.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Policy DM1 and Appendix 2 of the Development Management Policies document set out that residential development should not result in loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.
- 7.3.2 The two-storey side extension would be built against the previously unattached flank elevation, in line with the principal front elevation. It is therefore not considered that this element of the proposal would have any impact on the attached neighbour to the other side at No.7. The extension is built towards No.9 however it is considered that sufficient spacing of 1m is retained from the shared boundary with this neighbour such that it would not be overbearing or lead to a loss of light or outlook. A window is proposed in the flank elevation facing towards No.9, however this would be obscurely glazed, at ground floor level and would serve a W.C, so would not cause overlooking. A window is also proposed at first floor level in the flank elevation facing towards no.9 serving a staircase. However, a condition will be attached so that the window is fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level. It is not considered that the first floor window inserted within the rear elevation of the dwelling would result in any significant adverse impact on residential amenity given that an existing window was in a similar location.
- 7.3.3 The single storey rear extension would have a depth of 4.0m with a maximum overall height of 3.0m. Although the depth is not in accordance with the Design Criteria at Appendix 2, it is not considered to have a detrimental effect on the attached neighbour at no.7 or the unattached adjoining neighbour at no.9. The distance between the flank elevation of the rear extension and the shared boundary with No.9 is 1m and the distance between the flank elevation of the rear extension and the flank elevation of No.9 is approximately 2.5m. Although the single storey rear extension is built up to the shared boundary with No.7, given that it exceeds the Design Criteria's guidance by only 0.4m and that a 4m deep extension was approved under application 18/1003/PDE, it is not considered that the development would result in any significant adverse impact on the residential amenity of any neighbouring dwelling. It is not considered that the glazing at ground floor level to the rear would result in any adverse impact on neighbouring residential amenity.

7.3.4 The rear dormer is set in from either side of the roof and has a depth of approximately 2.9m. Given that the dormer is set in approximately 1.0m from the shared boundary with No.7 Puttenham Close and set in 2.1m from the shared boundary with No.9, it is not considered that it would result in an unacceptable loss of light or overbearing impact to either neighbour. It must be noted that the comments received from neighbours occurred before amended plans, which reduced the width of the dormer, were submitted and made publically available. No flank glazing has been proposed which avoids any direct overlooking towards neighbouring properties. There would be some outlook onto the rear gardens of neighbouring properties from the glazing proposed in the rear elevation of the dormer, however this would not be significantly different from the current outlook from the first floor window. It is also noted that a dormer window would have been a permitted development not requiring planning permission if it had been constructed as a single building operation and did not involve the removal of the original roof.

7.3.5 In summary, subject to conditions, the development would not result in any significant adverse impact on the residential amenity of any neighbouring dwelling so as to justify refusal of the application and the development would therefore be acceptable 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 Wildlife and Biodiversity

7.4.1 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.

7.4.2 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.

7.4.3 The application has been submitted with a Biodiversity Checklist and states that no protected species or biodiversity interests will be affected as a result of the application. The site is not in or located adjacent to a designated wildlife site. The Local Planning Authority is not aware of any records of protected species within the immediate area that would necessitate further surveying work being undertaken.

7.5 Trees and Landscaping

7.5.1 Policy DM6 of the DMP LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.

7.5.2 The application site is not located within a Conservation Area and no trees on or adjacent to the site are protected by a Tree Preservation Order. No trees of public amenity value have been harmed or removed by virtue of the proposal and the development is considered acceptable in this regard.

7.6 Highways, Access and Parking

7.6.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means of access and to make adequate provision for all users, including car parking. Policy DM13 and Appendix 5 of the Development Management Policies document set out Parking

Standards. The Parking Standards require 3 parking spaces for properties with 4 or more bedrooms such as the application dwelling.

7.6.2 The submitted plans indicate that two parking spaces would be provided. The removal of the existing porch, which will be replaced with a roof canopy will enable a car to be parked where the porch previously stood. Plans also indicate that the front wall will be removed in order to facilitate the car parking provision. The removal of the front boundary wall will be subject to a condition.

7.6.3 Although there would be a shortfall of one car parking space, there is some availability of on-street parking spaces in Puttenham Close and it is not considered that the shortfall of one parking space would lead to demonstrable harm justifying the refusal of planning permission.

7.7 Amenity Space

7.7.1 Policy CP12 of the Core Strategy states that development should take into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space. The Design Guidelines (Appendix 2 of the Development Management Policies document) set out that a four bedroom dwelling should provide 105sqm amenity space.

7.7.2 The application site would retain a rear garden of 60sqm, excluding the outbuilding. Although this would not comply with the standards proposed in Appendix 2, given the fact that 60sqm of amenity space would still be available, that the retained garden would not appear out of character with neighbouring gardens, it is not considered that the shortfall would result in harm to amenity or character justifying refusal of planning permission.

8 Recommendation: That retrospective planning permission be GRANTED and has effect from the date on which the development was carried out and is subject to the following conditions:

8.1 Conditions

C1 Within THREE MONTHS from the date of this decision, the rear dormer window shall be physically altered so it accords with drawing numbers 18.09 PL01 Rev C & 18.09 PL02 Rev E.

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

C2 Prior to the first occupation of the development hereby permitted, the existing front boundary wall and front porch as shown on drawing numbers EX01 REV D and PL02 REV E shall be demolished and all associated material removed from the site, in order to allow the provision of two car parking spaces. The extensions shall not be occupied until the parking spaces have been provided in accordance with the details on the approved plans and the spaces shall be retained as such thereafter.

Reason: To ensure satisfactory levels of on-site parking and in the interests of highway safety in accordance with Policies CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C3 The proposed development shall not be constructed other than in the materials and finishes as have been approved in writing by the Local Planning Authority as specified on the

application form submitted with the application and no external materials shall be used other than those approved.

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

- C4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the flank elevations of the dwelling 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 development hereby permitted the windows in the first floor flank elevation shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the rooms in which the window are installed. The window shall be permanently retained in that condition thereafter.

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

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 Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

- 15 The applicant is reminded that any new hard surfacing laid within the front garden must be of a porous material or alternatively that provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.