

9. 18/2523/FUL – Demolition of existing dwelling and erection of replacement dwelling with accommodation within the roof served by front and rear dormers at 17 ALVA WAY, CARPENDERS PARK, WD19 5EE.

Parish: Watford Rural Parish Council

Ward: Carpenders Park

Expiry of Statutory Period: 4 March 2019

Case Officer: Freya Clewley

Recommendation: That Planning Permission be granted.

Reason for consideration by the Committee: Called in to Planning Committee by Watford Rural Parish Council.

1 Relevant Planning History

1.1 No relevant planning history.

2 Description of Application Site

2.1 The application site is rectangular in shape and contains a detached bungalow dwelling located on the eastern side of Alva Way, Carpenders Park. Alva Way is a residential street characterised mainly by semi-detached and detached bungalows of varying styles and design, many of which have been extended or altered and have accommodation within the roofspace. In addition to the surrounding bungalows, there is a row of 4 two storey terraced dwellings opposite the application site.

2.2 The application dwelling is finished in pebbledash render with a dark tiled hipped roof form. There is hardstanding to the frontage with space for two vehicles and an area of lawn and soft landscaping. A detached garage is located to the east of the application dwelling, accessed via a shared driveway with the neighbour to the south. To the rear, there is an existing single storey rear extension with a flat roof form. A patio area abuts the rear of the dwelling leading to an area of soft landscaping.

2.3 The neighbour to the north, number 19 Alva Way, is a detached bungalow dwelling located close to the shared boundary with the application site. This neighbour has a small conservatory type extension to the rear, however this is significantly set in from both flank boundaries of the neighbouring site. The neighbour to the south, number 15 Alva Way, has an existing wraparound dormer window serving loft accommodation and a single storey rear extension which is set in from the flank elevation closest to the application site. High level close boarded fencing encloses the amenity space provision. Land levels increase from west to east such that the application dwelling is at an elevated position to the highway, and the rear amenity space slopes upwards.

3 Description of Proposed Development

3.1 This application seeks full planning permission for the demolition of the existing dwelling and the erection of a replacement dwelling with accommodation within the roof served by front and rear dormers. The replacement dwelling would contain four bedrooms (two additional bedrooms), two bathrooms, a utility room and an open plan living, kitchen and dining area.

3.2 The proposed replacement dwelling would have a width of 7.9m and a depth of 12.2m to the northern flank and a depth of 14m to the southern flank, including a 1.8m deep flat roofed rear extension. The dwelling would have a hipped roof form with a maximum height of 6.1m, sloping down to an eaves height of 2.4m, measured from the existing ground level, however excavation works are proposed to level the site including a reduction to the ground level on site by 0.4m below the existing land level to the rear. A three-casement flat roof dormer window is proposed within the front and rear roofslopes of the dwelling with a width

of 1.8m, a depth of 2.3m and a height of 1.5m. The single storey flat roof rear projection would have a height of 2.7m.

- 3.3 Two bay windows with a central access door are proposed within the front elevation at ground floor level, with bi-folding doors proposed to the rear. Four single-casement windows are proposed within the northern flank of the dwelling at ground floor level with two single-casement windows proposed at ground floor level within the southern flank and two rooflights serving the ground floor and one rooflight serving the roof accommodation within the southern flank of the dwelling.
- 3.4 The submitted plans indicate that 2m high close boarded fencing (measured from neighbouring ground level) is proposed along the northern flank boundary to the rear.
- 3.5 Amended plans were received during the course of the application to reduce the proposed depth of the dwelling and remove the proposed fencing along the shared access to the southern flank boundary.

4 Consultation

4.1 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 strongly to the development of land at this location for the following reasons:

1)The National Planning Policy Framework requires Local Planning Authorities to set parking requirements taking into account the accessibility of the development; the type, mix and use of the development; the availability and opportunities for public transport; local car ownership levels; and an overall need to reduce the use of high-emission vehicles.

Core Strategy Policy CP10 sets out that development should make sufficient provision for car and other vehicle parking policy. DM13 of the Development Management Policies Document states development should make provision for parking in accordance with the parking standards set out in Appendix 5.

The Parking Standards state that a four-bedroom dwelling should provide three parking spaces within the curtilage. The documentation does not describe fully but we have to assume that no car will be using the garage due to the length of the building. Therefore, we are going from 2 car parking spaces for a two bedroom to two spaces for a four bedroom, against your own guidelines. Advice from local residents from local residents and councillors suggests that Alva Way is already very difficult to park in being so close to the Railway Station. As such, given the parking conditions and site circumstances described above it is considered the proposed development would lead to a shortfall of parking provision which would result in a significant increase for pressure in parking outside the site to the detriment of highway safety, the character of the area and residential amenity. The development would therefore be contrary to Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM13 and Appendix 5 of the Development Management Policies document (adopted July 2013).

Also, we believe that this policy could also fail under policy "DM1 Residential Design & Layout" of the Local Plan, as it states in Appendix 2 under point 3c "Amenity Garden Space" that a 4-bedroom dwelling must have at least 105 sq metres of garden space. The plans do not adequately show the dimensions of the garden so WRPC respectfully ask TRDC to confirm that the garden space left over follows these guidelines.

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

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

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

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/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

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>

COMMENTS / ANALYSIS:

The application comprises of the demolition of the existing dwelling and erection of a new dwelling at 17 Alva Way, Carpenders Park. Alva Way is designated as an unclassified local access road, subject to a speed limit of 30 mph and is highway maintainable at public expense.

VEHICLE ACCESS & PARKING:

The existing property has a vehicle crossover / dropped kerb from Alva Way, shared with number 19 Alva Way. The applicant has indicated that there are to be no alterations to this access or the level of parking (driveway for two parking spaces). The arrangements are considered to be acceptable by HCC as Highway Authority.

EMERGENCY VEHICLE ACCESS:

The proposed new dwelling is within the recommended emergency vehicle access of 45 metres from the highway to all parts of the building. This is in accordance with the guidance in MfS, Roads in Hertfordshire: Highway Design Guide and Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses.

WASTE STORAGE / 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.

CONCLUSION:

HCC as Highway Authority has considered that the proposal is of a small scale 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 to the proposed development, subject to the inclusion of the above informatives.

4.1.3 Landscape Officer:

I have no objection to the development at the above.

There is a large protected Oak tree to the front of the neighbouring property, however I cannot object to the proposed development due to the fact that the proposed development is not any further forwards than the existing dwelling and as such there is not likely to be any further encroachment into the Root Protection Area.

It would be sensible to condition any development to ensure that the area to the front of the property which falls within the RPA of the tree is suitably protected from damage due to movement of vehicles and storage of materials etc and so the following condition would be appropriate:

Tree Protection Scheme- Details – CR098

No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

The protective measures, including fencing, shall be undertaken in accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

Reason: To protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

4.1.4 Herts and Middlesex Wildlife Trust: No response received.

4.1.5 Herts Ecology: No response received.

4.1.6 National Grid: No response received.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 7

4.2.2 No of responses received: 2 objections, 0 letters of support

4.2.3 Site Notice: Not required. Press notice: Not required.

4.2.4 Summary of Responses:

- Guttering does not define property perimeter, the main wall does.
- Concerns in relation to erection of fence, reducing the width of the shared driveway leading to garage, making it impossible to access.
- The property has had and still does suffer from subsidence, this was paid for by the Council. If the plans go ahead, new foundations would have to be installed, which would mean the cutting of roots to an oak tree which has a preservation order.

- Neighbour would have no access to garage for possibly a year.
- Daylight to rear of property would be reduced by 70%.
- Neighbour would be 'sandwiched' between two walls due to existing extension at 21 Alva Way.
- Reduction in value of neighbouring property.

Officer Comment: 'All material planning considerations are outlined within the relevant analysis sections below. A reduction in value of a property is not a material planning consideration.'

5 Reason for Delay

5.1 None.

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, DM4, DM6, DM10, 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 Principle of Demolition

7.1.1 The application site does not lie within a Conservation Area and the building is not Listed or a Locally Important Building. As such, there are no overriding policy requirements to retain the existing dwelling.

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 The replacement dwelling is to be sited in the same location to the existing dwelling and would be set back an equal distance from the highway. The proposed dwelling is of a similar appearance to the existing bungalow, with a double bay projection to the frontage, and it is of equal width. Whilst a dormer window is proposed within the front roof slope of the dwelling, it is acknowledged that there are other front dormer windows within the vicinity and therefore, it is not considered that the proposal result in an unduly prominent feature within the streetscene and the proposed features are considered to reflect the existing dwelling.

7.2.3 The ridge height would be increased by 0.9m compared to the existing dwelling. The current proposal has a hipped roof form which reflect the existing dwelling. Given the existing site circumstances, the existing variation in terms of ridge lines, the elevated position of the dwelling when viewed from the streetscene and the overall scale and design of the proposal, it is not considered that the proposed development would appear unduly prominent within the streetscene of Alva Way.

7.2.4 The dwelling would have the same width as the existing dwelling and would not spread the built form closer to either flank boundary of the application site. Consequently the development would maintain the spacing between the neighbouring dwellings to the north and south, and the existing access to the south of the dwelling would be retained.

7.2.5 The proposal would have a stepped rear elevation, with the replacement dwelling extending 4m deeper than the original northern flank of the existing dwelling and 6m deeper than the original southern flank, creating a stepped elevation to the rear. Whilst the proposed rear projection would exceed the guidance depth of 4m to detached dwellings to the south, given the siting of this element to the rear, that other dwellings within the vicinity have implemented extensions of similar depths, that the majority of this element would be incorporated into the hipped roof form of the replacement dwelling and that the 1.8m projection would have a flat roof form with a height of 2.7m, it is not considered that this element would appear unduly prominent within the streetscene or result in demonstrable harm to the character or appearance of the host dwelling, streetscene or wider area.

- 7.2.6 The proposed dormer window within the front and rear of the dwelling would be set down from the maximum ridge of the dwelling, set in from the flank roofslopes and set up from the eaves and as such, it is considered that the proposed dormers would appear subordinate within the replacement dwelling roofslope.
- 7.2.7 The submitted application form details that the proposed replacement dwelling would be finished in masonry. No additional details have been submitted and therefore it is considered reasonable to attach a condition to any planning permission to require additional details in relation to the proposed materials to be submitted prior to the commencement of works above ground level.
- 7.2.8 In summary, whilst the proposed replacement dwelling would extend deeper within the plot than the existing dwelling, given the existing variation within the streetscene of Alva Way and that other dwellings within the vicinity have implemented extensions of a similar scale, it is not considered that the proposed development would appear unduly prominent within the streetscene of Alva Way or result in any harm to the character or appearance of the streetscene or wider area.

7.3 Impact on Amenity of Neighbours

- 7.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space.' Policy DM1 and Appendix 2 of the Development Management Policies LDD 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 ridge line of the proposed replacement dwelling would be approximately 0.9m higher than the ridge line of the existing dwelling. Whilst the proposed ridge of the dwelling would be higher than the existing, the proposed eaves height would remain the same. Therefore, given the existing site circumstances, hipped roof form and height of the eaves of the replacement dwelling, it is not considered that the increase in maximum height would result in any harm to neighbouring amenity.
- 7.3.3 The proposed replacement dwelling would extend 4m beyond the original rear elevation of the existing dwelling to the north with a width of 3.3m. This distance would comply with the guidance set out within Appendix 2 of the Development Management Policies document, and given the height of this element, at its deepest point would measure 2.4m, that this element would be incorporated into the hipped roof form of the replacement dwelling and the existing site circumstances and boundary treatment, it is not considered that this element would result in demonstrable harm to the amenity of the neighbour to the north.
- 7.3.4 The proposed replacement dwelling would extend 6m beyond the original rear elevation to the south, with a width of 4.7m, constructed in line with the southern flank of the replacement dwelling. This element would include a 1.8m deep flat roofed projection with a height of 2.7m. Whilst it is acknowledged that the depth of this element would exceed the guidance set out within Appendix 2, given the proposed height and flat roof form at the deepest point of this element and that there is an existing access between the southern flank of the dwelling and the neighbour to the south, it is not considered that the proposal would result in detrimental harm to the neighbour to the south.
- 7.3.5 In relation to overlooking, the replacement dwelling would contain four single-casement windows at ground floor level within the northern flank and two single-casement windows at ground floor level within the southern flank. Three rooflights are also proposed within the southern roofslope, two of which would serve the ground floor. The submitted plans indicate that high level close boarded fencing would line the northern flank boundary, and as such, it is not considered that the ground floor fenestration within the northern flank would result in unacceptable overlooking. Given the spacing between the application site and the

neighbouring property to the south, it is not considered that the proposed glazing within the southern flank would result in unacceptable overlooking.

- 7.3.6 The proposed bifolding doors within the rear of the dwelling and three-case window within the rear dormer would have an outlook of the rear amenity space of the application site. The dormer window would be set in from all planes of the roofslope and as such, it is not considered that this element would result in unacceptable overlooking. In addition, the front dormer window and fenestration at ground floor level would have an outlook of the application site frontage, thus would not result in overlooking. Notwithstanding the above, given the proximity of the replacement dwelling and neighbouring properties, it is considered reasonable to restrict any additional openings from being inserted in the flank elevations of the replacement dwelling.
- 7.3.7 Given the scale of the proposed replacement dwelling, it is considered reasonable to attach a condition to any planning permission to remove some permitted development rights in the interests of protecting neighbouring amenity and to prevent the overdevelopment of the site.
- 7.3.8 In summary, subject to conditions, the development is considered acceptable in terms of its impact on neighbouring residential amenity in accordance with Policy CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies document.

7.4 Amenity Space Provision for Future Occupants

- 7.4.1 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.
- 7.4.2 The proposed development would result in a four bedroom dwelling. Appendix 2 of the Development Management Policies document outlines that a four bedroom dwelling should retain 105sqm of usable, private amenity space. The application dwelling would retain over 200sqm of amenity space to the rear and as such, would exceed the requirements set out within Appendix 2 in this regard.

7.5 Wildlife and Biodiversity

- 7.5.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive.
- 7.5.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application.
- 7.5.3 The application has been submitted with a Biodiversity Checklist which stated that no protected species or biodiversity factors will be affected as a result of the application. The Local Planning Authority is not aware of any protected species within the immediate area that would require further assessment; however given the development would affect the roofspace of the dwelling, an informative would be attached to any consent to advise the applicant of what to do should bats be discovered during the course of the development.

7.6 Trees and Landscaping

- 7.6.1 Policy DM6 of the Development Management Policies document 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.

- 7.6.2 The Landscape Officer has been consulted on this application and has raised no objection to the proposal as there would be no further encroachment into the Root Protection Area of the large protected Oak tree to the front of the neighbouring property. Notwithstanding this, a condition to require a tree protection scheme to be submitted to and approved by the LPA would be attached to any planning permission to protect the visual amenities of the tree and area.

7.7 Highways, Access and Parking

- 7.7.1 Policy DM13 of the Development Management Policies document requires development to make provision for parking in accordance with the parking standards set out at Appendix 5 of the Development Management Policies document.

- 7.7.2 The proposal would result in a four bedroom dwelling (two additional bedrooms). Appendix 5 of the Development Management Policies document sets out that a four bedroom dwelling should provide onsite parking provision for three vehicles. The hardstanding to the frontage with space for two vehicles would be retained in addition to the existing garage to the rear of the site. Whilst the extension may impact the accessibility of the garage, given the location of the application site, that there is a bus stop opposite the application site and a further bus stop located 50m to the north, it is not considered that a shortfall of one onsite parking space would result in detrimental harm to highway safety so as to justify the refusal of planning permission.

7.8 Sustainability

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

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

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

- 7.8.4 The application is accompanied by an Energy Statement by RBS detailing that the energy strategy comprises passive and low energy design measures including enhanced thermal performance to floor, high performance double glazed windows and doors, high efficiency gas boiler and use of 100% low energy lighting. Notwithstanding this, no energy calculations have been submitted to demonstrate that the development will produce 5% less carbon dioxide emissions than Building Regulations Part L (2013), thus it is considered reasonable to attach a condition to any planning permission to require these details to be submitted prior to the commencement of works on site.

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 plan: 17AW/P01 Rev D.

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

C3 Before any building operations above ground level hereby permitted are commenced, samples and details of the proposed external materials and finishes shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

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

C4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the flank elevations or roof slopes of the extension/development hereby approved.

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

C5 Prior to commencement of the development hereby permitted, an Energy Statement demonstrating energy saving measures for the development to achieve 5% less carbon dioxide emissions than Building Regulations Part L (2013) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the development and permanently maintained thereafter.

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

C6 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 D - erection of a porch

Class E - provision of any building or enclosure

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

- C7 No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

The protective measures, including fencing, shall be undertaken in accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

Reason: This condition is a pre commencement condition to prevent damage to trees during construction and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

8.2 **Informatives:**

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

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

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) (for self-build housing) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public

footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

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

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 14 The applicant is advised that the requirements of the Party Wall Act 1996 may need to be satisfied before development commences.
- 15 The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
- 16 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>
- 17 Bats are protected under domestic and European legislation where, in summary, it is an offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in a roost or deliberately disturb a bat in a way that would impair its ability to survive, breed or rear young, hibernate or migrate, or significantly affect its local distribution or abundance; damage or destroy a bat roost; possess or advertise/sell/exchange a bat; and intentionally or recklessly obstruct access to a bat roost.

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

The UK Bat Helpline: 0845 1300 228

Natural England: 0300 060 3900

Herts & Middlesex Bat Group: www.hmbg.org.uk

or an appropriately qualified and experienced ecologist.

(As an alternative to proceeding with caution, the applicant may wish to commission an ecological consultant before works start to determine whether or not bats are present).