

7. **19/0394/FUL - Removal of existing timber shed, extension of existing basement, extension of existing drive atop of basement structure and construction of car port at WHITE HART HOUSE, SERGEHILL LANE, ABBOTS LANGLEY, WD5 0RT.**

**19/0395/LBC - Removal of existing timber shed, extension of existing basement, extension of existing drive atop of basement structure and construction of car port at WHITE HART HOUSE, SERGEHILL LANE, ABBOTS LANGLEY, WD5 0RT.**

Parish: Abbots Langley Parish Council

Ward: Abbots Langley and Bedmond

Expiry of Statutory Period: 13.05.19

Case Officer: Aaron Roberts

Recommendation: That Planning Permission and Listed Building Consent be GRANTED.

Reason for consideration by the Committee: This application is brought before the Committee as the Planning agent is a Councillor.

#### **Relevant Planning History at Application Site**

- 1.1 11/1608/FUL - Change of use from public house (Class A4) to single family dwellinghouse (Class C3), part demolition of extensions, alterations and new extensions, refurbishment of detached garage, replacement of rear car park with private garden and associated landscaping - Permitted - 09.09.2011.
- 1.2 11/1609/LBC - Listed Building Consent: For change of use from public house (Class A4) to single family dwellinghouse (Class C3), part demolition of extensions, alterations and new extensions, and refurbishment of detached garage - Permitted - 09.09.2011.
- 1.3 11/2565/DIS - Discharge of Conditions 3, 4 and 6 pursuant to Listed Building Consent 11/1609/LBC - Determined - 19.01.2012.
- 1.4 11/2577/DIS - Discharge of Conditions 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 17 and 18 pursuant to planning permission 11/1608/FUL - Determined - 19.01.2012.
- 1.5 11/2620/FUL - Amendment to 11/1608/FUL: Change of use from public house (Class A4) to single family dwellinghouse (Class C3), part demolition of extensions, alterations and new extensions, refurbishment of detached garage, replacement of rear car park with private garden and associated landscaping to include erection of ancillary structure to converted garage building forming a subterranean link, alterations to driveway and patio area and internal alterations to second floor level. - Permitted - 24.04.2012.
- 1.6 12/0215/LBC - Listed Building Consent: Amendment to 11/1609/LBC: Change of use from public house (Class A4) to single family dwellinghouse (Class C3), part demolition of extensions, alterations and new extensions, refurbishment of detached garage, replacement of rear car park with private garden and associated landscaping, to include erection of ancillary structure to converted garage building forming a subterranean link, alterations to driveway and patio area and internal alterations to second floor level. - Permitted - 24.04.2012.
- 1.7 12/0623/DIS - Discharge of Conditions 2, 3, 4, 5, 7, 8, 9, 10, 12, 14 and 17 pursuant to planning permission 11/1608/FUL – Determined - 24.05.2012.

- 1.8 12/0625/DIS - Discharge of Conditions 2, 3, 4 and 5 pursuant to planning application 11/1609/LBC - Determined - 18.05.2012.
- 1.9 12/0728/NMA - Non Material Amendment to planning permission 11/1608/FUL: Internal amendment to layout of upper storey. Removal of external door, brick up base to create window. - Permitted - 23.04.2012.
- 1.10 12/1110/FUL - Amendment to 11/1608/FUL and 11/2620/FUL: Change of use from public house (Class A4) to single family dwellinghouse (Class C3), part demolition of extensions, alterations and new extensions, replacement of rear car park with private garden and associated landscaping, erection of ancillary structure to converted garage building forming a subterranean link to include enclosed swimming pool within residential garden - Refused - 06.08.2012.
- 1.11 12/1114/LBC - Listed Building Consent: Amendment to 11/1609/LBC and 12/0215/LBC: Change of use from public house (Class A4) to single family dwellinghouse (Class C3), part demolition of extensions, alterations and new extensions, replacement of rear car park with private garden and associated landscaping, erection of ancillary structure to converted garage building forming a subterranean link to include enclosed swimming pool within residential garden - Refused - 06.08.2012.
- 1.12 12/1532/LBC - Part Retrospective Listed Building Consent: Change of use from public house (Class A4) to single family dwellinghouse (Class C3), part demolition of extensions, alterations and new extensions, refurbishment of detached garage, replacement of rear car park with private garden and associated landscaping, to include erection of ancillary structure to converted garage building forming a subterranean link, alterations to driveway and patio area and internal alterations to second floor level - Permitted - 02.10.2012.
- 1.13 12/1564/RSP - Part Retrospective: Change of use from public house (Class A4) to single family dwellinghouse (Class C3), part demolition of extensions, alterations and new extensions, refurbishment of detached garage, replacement of rear car park with private garden and associated landscaping, to include erection of ancillary structure to converted garage building forming a subterranean link, alterations to driveway and patio area and internal alterations to second floor level - Permitted - 02.10.2012.
- 1.14 15/1686/FUL - Entrance porch and extension to basement level - Withdrawn - 26.11.2015.
- 1.15 15/1687/LBC - Listed Building Consent: Entrance porch and extension to basement level - Withdrawn - 26.11.2015.
- 1.16 16/0043/FUL - Entrance porch and extension to basement level – Refused - 07.03.2016.
- 1.17 16/0044/LBC - Listed Building Consent: Entrance porch and extension to basement level – Refused - 07.03.2016.
- 1.18 16/0992/FUL - Extension to basement level - Approved.
- 1.19 16/0993/LBC - Extension to basement level - Approved.

## **2 Description of Application Site**

- 2.1 White Hart House is a former Public House which has been converted to one dwelling and is a Grade II Listed Building located within the Metropolitan Green Belt and Bedmond Village Core. Sergehill Lane is semi-rural in character, generally consisting of low density residential development. A Grade II Listed church is sited on the corner of Sergehill Lane and Church Hill.
- 2.2 The building is detached and appears two storey from the front (north elevation facing Sergehill Lane) and three storey at the rear where the ground levels fall steeply. The building has been extended over time. The property consists of a red brick exterior. The rear of the property contains a raised decking that is linked to the property and provides access to the rear garden that is located to the rear of the application site. The front of the property contains hardstanding to the north east portion of the site. Directly behind the eastern boundary of the site is a public footpath.
- 2.3 The listing for the building reads as follows:

'Public House. Early C17 with mid C19 front range, altered C20. Timber frame to rear with red brick noggin and C20 brick re-fronting. Machine tiled roof. Red brick front range with some flint, white brick dressings. Decoratively tiled roof. Original rear block is 3 bays, 2 storeys. Left gable and exposed framing with large panels, struts to collar clasp purlins. Rear elevation is C20 brick with a central entrance, flanking ground floor sashes with cambered heads. First floor 2 light casements. Left end stack. C19 front range is set up on a hillside so that its ground floor corresponds to the first floor of the earlier range. 2 storeys. 3 bay front set 1 bay to right of earlier range. Right bay projects slightly with a gable horizontal sling sash with 24 panes to each light, chamfered white brick surround with a gauged brick flat arched head. First floor: central horizontal sliding sash, 2 light casement to left, 2 horizontal sliding sashes with 24 pane lights to right, cusped finialed bargeboards. End stacks and one on ridge to right of centre with diagonal shafts. Barge boarded left end gable with a first floor horizontal sliding sash and an extruded stack. Attached to right a 1 storey weather boarded outbuilding with 4 casements to the front, barge boarded gable to return over flint and brick basement. Interior not inspected'.

### **3 Description of Proposed Development**

- 3.1 This application seeks planning permission and Listed Building Consent for the removal of the existing timber shed, extension of existing basement, extension of existing drive atop of basement structure and construction of a car port.
- 3.2 The proposed extension of the basement structure would involve the excavation of the existing basement structure towards the north-east of the site. The internal area of the proposed basement would be approximately 4.7m deep and 2.8m wide. The modification would increase the floor area of the basement by approximately 13.5sqm and would serve as a store. As part of the works to the basement, an external brick structure would be located along the eastern flank of the basement, finished in materials to match the existing garage. The external structure of the basement would extend the depth of the adjoining brick structure, with the external structure of the proposed basement being set in by 0.15m from the adjoining brick buildings eastern elevation. The top of the external wall structure would be level with the eaves height of the adjoining brick building which currently serves the guest suite and utility rooms.
- 3.3 The additional hardstanding is proposed to be placed atop of the basement structure. The area of additional hardstanding is approximately 24.5sqm and would

be finished to match the existing gravel finish. The ground level of the proposed hardstanding would not deviate from the current ground level and would extend out with the external structure of the proposed basement being set in by 0.15m from the existing brick buildings eastern elevation.

- 3.4 The proposed car port would be situated to the north-east of the site, located approximately 0.2m from the boundary at its closest point. It would be located on top of the proposed basement extension and associated additional hardstanding. The car port would be located adjacent to the brick pitched building which currently serves the guest suite and utility rooms, projecting 1.1m beyond its western elevation. The car port would face a westerly direction. The proposed car port would have a depth of approximately 5.7m and a width of 4.2m. It would have a pitched roof with a maximum height of approximately 3.4m and an eaves height of 2.4m. It would be closed to the rear but open to the front and sides. The rear of the car port would be situated approximately 0.5m from the edge of the hardstanding atop of the proposed basement structure. The car port would provide parking provision for one car and would be used for the charging of an electric car. The car port would be constructed with timber and finished in timber cladding and a timber fascia with a slate roof. The addition of the car port would result in the removal of the existing timber shed.

## **4 Consultation**

### **4.1 Statutory Consultation**

- 4.1.1 Abbots Langley Parish Council: [No Objection]

*'No objection'*

- 4.1.2 National Grid: No response received.

- 4.1.3 Conservation Officer: [No Objection]

*'This application is for removal of existing timber shed, extension of existing basement, extension of existing drive atop basement structure and construction of car port.*

*White Hart House is a former Public House, now in residential use (HE ref: 1348207). At the historic core of the property is a seventeenth century, timber framed building which has been significantly extended and altered in subsequent centuries.*

*In principle I have no objections to the proposals to extend the basement, which should help to ensure the conservation of the listed building. It is recommended that further information, such as an engineering report detailing the method of excavation and the scope of works are submitted prior to the commencement of works, to fully understand the potential for harm to the listed building.*

*The proposed cart lodge, although visible from the road, will not cause harm to the significance of the listed building'.*

- 4.1.4 HCC Footpath Section: [Advisory comment]

*'The Rights of Way Service acting as Highways Authority notes this application. No works may take place which interferes in any way with the line, level or width of the public footpath to the east of the site ABBOTS LANGLEY 077 without expressed*

*authority of the ROW service and where necessary appropriate legal orders obtained before commencement of works’.*

4.1.5 Environment Agency: No response received.

4.1.6 Herts and Middlesex Wildlife Trust: No response received.

4.1.7 Hertfordshire Ecology: No response received.

4.1.8 Landscape Officer: [No objection]

*‘I do not wish to raise an objection to the above applications’.*

## **5 Public/Neighbour Consultation**

5.1.1 Number consulted: 2 No of responses received: 0

5.1.2 Site Notice: Footpath/Listed building (expired 15.04.2019)

Press notice: Footpath/Listed building (expired 20.04.2019)

Summary of Responses: None received

## **6 Reason for Delay**

6.1 Committee cycle.

## **7 Relevant Planning Policy, Guidance and Legislation**

### **7.1 National Planning Policy Framework and National Planning Practice Guidance**

In February 2019 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 2019 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.

### **7.2 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, 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, DM3, DM6, DM13 and Appendices 2 and 5.

### 7.3 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.

The Supplementary Planning Guidance No. 3 - Extensions to Dwellings in the Green Belt (March 2004) provides further guidance on extensions to dwellings in the Green Belt.

## **8 Planning Analysis**

### 8.1 Greenbelt Calculations

8.1.1 Original building = 292sqm

8.1.2 Existing extensions = 122sqm

8.1.3 Proposed Extension (including removal of existing basement area) = 3sqm

8.1.4 The extension of the existing basement represents a 43% increase in floorspace relative to the original building.

### 8.2 Greenbelt

8.2.1 The National Planning Policy Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. The National Planning Policy Framework sets out that Green Belt serves five purposes:

- a.) to check 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.
- 8.2.2 Paragraph 143 of the NPPF stipulates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances
- 8.2.3 Paragraph 145 of the NPPF stipulates that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
- 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 alterations 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 in 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 or complete 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.
- 8.2.4 Core Strategy Policy CP11 sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it.
- 8.2.5 Policy DM2 of the Development Management Policies LDD (adopted July 2013) relates to development within the Green Belt and sets out that extensions to buildings in the Green Belt that are disproportionate in size (individually or cumulatively) to the original building will not be permitted. The building's proximity and relationship to other buildings and whether it is already, or would become, prominent in the setting and whether it preserves the openness of the Green Belt will be taken into account. The Council will only support the provision of ancillary buildings in the Green belt where it can be demonstrated that the development would:

*i.) be of a scale and design clearly subordinate to the dwelling and of a height and bulk such that the building would not adversely affect the openness of the Green Belt.*

*ii.) be sited in an appropriate location that would not be prominent in the landscape and would not result in the spread of urbanising development.*

*iii.) avoid features normally associated with the use of a building as a dwelling such as dormer windows.*

8.2.6 In relation to extensions to dwellings the 'Extensions to Dwellings in the Green Belt Supplementary Planning Guidance' provided further explanation of the interpretation of the Green Belt policies of the Three Rivers Local Plan 1996-2011. These policies have now been superseded by Policy DM2 of the Development Management Policies LDD. Nevertheless, the SPG provides useful guidance and paragraph 4.5 of the Development Management Policies LDD advises that the guidance will be taken into account in the consideration of householder developments in the Green Belt until it is incorporated into the forthcoming Design Supplementary Planning Document. As a guide, the SPG advises that extensions resulting in a cumulative increase in floor space of up to 40% compared with the original dwelling may not be disproportionate

8.2.7 The floorspace of the original building amounts to approximately 292sqm. The existing extensions amount to approximately 122sqm. When taking into account the proposed removal of part of the basement floorspace, the floor space of the proposed alterations to the basement would measure approximately 3 sqm, resulting in an overall increase in floor space compared to the original floor space of approximately 43%. Therefore the proposed development would marginally exceed the guideline for a 40% increase in floorspace. It is noted that although the proposed development would marginally exceed the 40% increase in floorspace, the alterations would excavate an existing basement at the lower ground level of the property. Therefore it is not considered disproportionate as the majority of the works, apart from the external brick wall along the eastern boundary would be underground. Additionally, the external structure of the basement would not be widely seen due to its positioning close to the boundary of the site and at a lower level to the ground level on which the car port is sited and would be primarily seen from the footpath to the East.

8.2.8 The construction of residential outbuildings does not fall within any of the exceptions to inappropriate development as set out within the NPPF. Policy DM2 of the DMP LDD does however allow for the provision of ancillary outbuildings within the residential curtilage of a dwellinghouse. The timber structure would be sited in close proximity to the existing brick building serving the guest suite and utility rooms, therefore it is not considered that the building would be prominent in the landscape and would not result in the spread of urbanising development. Additionally, the car port would be only approximately 1.3m higher than the existing detached brick building it is adjacent too. It is considered that the scale and open nature of the proposed car port would be of a scale and design subordinate to the host building and of a height and bulk such that the structure would not adversely affect the openness of the Green Belt. Furthermore the carport's design avoids features normally associated with the use of a building as a dwelling such as fenestration.

8.2.9 As such it is considered that the proposed development would be acceptable within the Green Belt in accordance with Policy CP11 of the Core Strategy (adopted

October 2011) and Policy DM2 of the Development Management Policies LDD (adopted July 2013).

### 8.3 Impact on Character and Street Scene and Heritage Assets

- 8.3.1 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'.
- 8.3.2 In relation to Listed Buildings, Policy DM3 of the Development Management Policies LDD (adopted July 2013) advises that the Council will preserve the District's Listed Buildings and will only support applications where the extension /alteration would not adversely affect its character as a building of special architectural or historic interest both internally or externally or its wider setting.
- 8.3.3 The application site is located within the setting of White Hart House, a Grade II Listed Building. The Council's Conservation Officer was consulted on the proposals and raised no objection. The Conservation Officer stated that the proposals to extend the basement should help to ensure the conservation of the listed building. They also stated that the proposed car port, although visible from the road, would not cause harm to the significance of the listed building. The Conservation Officer did however recommend that further information, such as an engineering report detailing the method of excavation and the scope of works are submitted prior to the commencement of works, to fully understand the potential for harm to the listed building. An engineering report has been added as a pre-commencement condition.
- 8.3.4 Given that the proposed extension to the basement would primarily involve work below ground level, it would not be readily visible from the streetscene. The proposed external structure of the basement would be sited towards the eastern boundary of the site, facing the footpath directly behind the site and would be of a limited scale. The external basement structure would be built using materials to match the existing adjacent brick structure. Although the hardstanding atop of the basement would be readily seen from the streetscene, it would be finished in materials to match the existing driveway, ensuring a consistent appearance to the hardstanding within this sensitive location. Additionally a large portion of the site is currently covered in hardstanding, so the additional hardstanding would not look out of keeping.
- 8.3.5 Given the location of the proposed car port, it would be readily visible from the streetscene. However, the Conservation Officer stated that the proposed car port, although visible from the road, would not cause harm to the significance of the listed building and therefore the wider site as a whole. It is considered that the scale and open nature of the proposed car port would be of a scale and design subordinate to the host dwelling and wider streetscene.
- 8.3.6 Given the above considerations, the proposal would not result in any significant adverse impact on the character and appearance of the Listed Building or wider streetscene and the development would therefore be acceptable in accordance with

Policies CP1 and CP12 of the Core Strategy and Policies DM1 and DM3 and Appendix 2 of the Development Management Policies LDD.

#### 8.4 Impact on amenity of neighbours

8.4.1 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.

8.4.2 Due to the siting of the proposed development, including the extension of existing basement, extension of existing drive atop of basement structure and construction of car port, relative to the surrounding neighbouring properties it would not result in any loss of light or harm to the visual amenities of any neighbouring properties. No overlooking would be permitted from the proposed development.

8.4.3 The proposed development would therefore not result in any harm to the residential amenities of the surrounding neighbouring properties in accordance with Policy CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the DMP LDD.

#### 8.5 Wildlife and Biodiversity

8.5.1 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.

8.5.2 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.

8.5.3 The application has been submitted with a Biodiversity Checklist which states that the proposed development would affect a feature known to support a protected species, and potentially impact upon bats. As such, a bat ecologist who has been involved with previous applications at the site was consulted by the applicant. They stated that with regards to the car port 'the construction works will be limited and approximately 20-25m north-west of the known brown long-eared bat roost'. The bat ecologist stated that there would be no direct impact to the known brown long-eared roost and indirect impacts are considered low/negligible. The ecologist also mentioned that the flight paths associated with bats leaving the roost are in a southerly direction towards the woodland, so the location of the proposed car port would not obstruct the flight path. The bat ecologist considered that a bat survey was not necessary due to the data collected recently.

8.5.4 Due to a potential concern regarding the laying of foundations, the bat ecologist did suggest that any foundation works (if requiring heavy machinery and resulting in possible vibrations) be carried out outside of the breeding and hibernation periods i.e. before the end of April or between mid-August and November. As such, this

suggestion will be added as an informative. The basement alterations would not impact upon any protected species.

## 8.6 Trees and Landscaping

8.6.1 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.

8.6.2 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. The Landscape Officer raised no objections to the proposal. 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.

## 8.7 Highways, Access and Parking

8.7.1 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.

8.7.2 The proposed increase in hardstanding and car port would provide an additional car parking space, so sufficient parking would continue to be provided. It is not considered that the increase in hardstanding and provision of a car port would result in any harm to highway safety.

**9 Recommendation:** That PLANNING PERMISSION 19/0394/FUL and Listed Building Consent 18/0395/LBC BE GRANTED subject to the following conditions

### 9.1 **19/0394/FUL 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: 1060/SU01, 1210/SK103, 1210/SK105, 1210/SK100A, 1210/SK101B, 1210/SK102A, 1210/SK104A, 1210/SK106A.

Reason: For the avoidance of doubt and in the proper interests of planning and to safeguard the setting of the Listed Building and visual amenity and openness of the Green Belt in accordance with Policies CP1, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2, DM3, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

C3 Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

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

## 9.2 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](mailto: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](http://www.hertfordshirebc.co.uk).

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

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

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

- I2 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 and/or their agent 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 The applicant is advised that a Public Right of Way runs adjacent to the application site. This Right of Way must be protected and its current surface condition maintained. The Right of Way must remain unobstructed by vehicles, machinery, materials, tools and any other aspects of construction during works. The safety of the public using the route should be paramount. The condition of the route must not deteriorate as a result of the works. All materials are to be removed at the end of construction.

If these standards cannot be reasonably be achieved then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order.

15 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](http://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).

The applicant is advised that any foundation works (if requiring heavy machinery and resulting in possible vibrations) should be carried out outside of the breeding and hibernation periods i.e. before the end of April or between mid-August and November, in order to minimise the potential impacts on the local bat population.

### 9.3 19/0395/LBC Conditions:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- C2 The development hereby permitted shall be carried out in accordance with the following approved plans: 1060/SU01, 1210/SK103, 1210/SK105, 1210/SK100A, 1210/SK101B, 1210/SK102A, 1210/SK104A, 1210/SK106A.

Reason: For the avoidance of doubt and in the proper interests of planning and to safeguard the setting of the Listed Building in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C3 Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

Reason: To ensure that the external appearance of the building is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C4 No development or other operation shall commence on site until an engineering report has been submitted to and approved in writing by the Local Planning Authority. This engineering report shall detail the method of excavation of the basement and scope of works. The development shall only be implemented in accordance with the approved Construction Method Statement.

Reason: This is a pre commencement condition to ensure the integrity of the Listed Building is safeguarded, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

#### 9.4 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](mailto: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](http://www.hertfordshirebc.co.uk).

Community Infrastructure Levy (CIL) - If your development is liable for CIL payments, it is a requirement under Regulation 67 (1) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable

development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

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

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

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.