

PLANNING COMMITTEE – 10 SEPTEMBER 2020

PART I - DELEGATED

9. **20/1363/FUL – Partial demolition of existing dwelling and erection of two storey side and rear extensions, loft conversion including dormer windows, alterations to fenestration and extension to raised driveway with balustrading and steps to front garden at CHELSEA HOUSE, 10 ASTONS ROAD, MOOR PARK, HA6 2LD.**

Parish: Batchworth Community Council
Expiry of Statutory Period: 07.09.2020

Ward: Moor Park and Eastbury
Case Officer: Freya Clewley

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: Called in to Committee by Batchworth Community Council.

1 Relevant Planning History

- 1.1 W/722/73 – Garage – Permitted 05.03.1973.
- 1.2 8/820/83 – Two single storey side extensions – Permitted 10.02.1984.
- 1.3 8/526/87 – First floor side extension and erection of garage – Permitted 28.08.1987.
- 1.4 19/2093/FUL – Partial demolition of existing dwelling and erection of part three storey/two storey side and rear extensions and loft conversion including rear dormer windows and re-fronting of property to allow replacement of existing bricks – Refused 27.12.2019 for the following reason:
- R1 The proposed development by reason of the scale, design and the extent of alterations and extensions and resultant loss of original features would adversely affect the character and appearance of the pre-1958 dwelling, streetscene and wider Conservation Area, failing to preserve or enhance the character and appearance of the heritage asset. The development would therefore be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1 and DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and the Moor Park Conservation Area Appraisal (adopted 2006).*
- 1.5 20/0283/FUL - Partial demolition of existing dwelling and erection of part three storey/two storey side and rear extensions and loft conversion including rear dormer windows and alterations to frontage including extension of raised driveway with balustrading and steps to front garden – Refused 06.04.2020. Refused for the following reasons:
- R1 The existing dwelling was built prior to 1958 and makes a positive contribution to the character and appearance of the streetscene and the Moor Park Conservation Area. The proposed extensions including frontage alterations when viewed cumulatively by virtue of their excessive scale, bulk and design would over-dominate the pre-1958 dwelling thereby eroding its special character. In addition, the inclusion of two storey side extension in such close proximity to the existing detached garage would also significantly erode the spacious character of the site. The proposal would lead to less than substantial harm of a designated heritage asset however no public benefits have been demonstrated. The development therefore fails to preserve or enhance the character and appearance of the Conservation Area and is therefore would be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013), the Moor Park Conservation Area Appraisal (adopted 2006) and the NPPF (2019).*

R2 In the absence of sufficient information, it has not been demonstrated that the proposed development would not have an adverse impact on any protected species which may be present within or use the site. Therefore necessary consideration and appropriate mitigation cannot be given to the impact of the development on protected species or their habitats contrary to Policies CP1 and CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

2 Description of Application Site

- 2.1 The application site contains a detached pre-1958 dwelling in the Moor Park Conservation Area, located on the western side of Astons Road. It is set back from the highway by approximately 30m and there is hardstanding to the front which contains parking for at least 3 cars.
- 2.2 The dwelling is finished in mixed red brickwork with a dark tiled hipped roof form and subordinate two storey hipped roof side projections either side of the central façade. To the northern flank of the dwelling, there is an existing single storey side projection with a flat roof form. A patio area abuts the rear elevation of the dwelling leading to a higher level of lawn and soft landscaping. Land levels fall from south to north and increase from east to west across the site, such that the host dwelling is located at an elevated position to the adjacent highway.
- 2.3 The neighbouring dwelling at No.8 Astons Road, is located at a lower land level than the host dwelling. This neighbour is set in from the shared boundary with the application site by approximately 4.1m, and is of a different architectural appearance to the host dwelling, with existing dormer windows within the front and rear roofslope.
- 2.4 The neighbour to the south, No.12 Astons Road, is located at a higher land level than the host dwelling, and is set in approximately 14.7m from the shared boundary with the application site. This neighbour has existing dormer windows within the front and flank elevation roofslopes and has been significantly extended and altered over time such that it is significantly larger than the application dwelling.
- 2.5 The area is generally characterised by large, detached properties set within generous plots. There is no particular style which dominates the local context, with each dwelling having a unique style and character.

3 Description of Proposed Development

- 3.1 The proposed development seeks planning permission for the partial demolition of the existing dwelling and erection of two storey side and rear extensions, loft conversion including side and rear dormer windows, alterations to fenestration and extension to raised driveway with balustrading and steps to front garden. The proposal would result in a seven bedroom dwelling (two additional bedrooms).
- 3.2 The application includes the demolition of extensions to either side of the existing dwelling. The proposal includes two storey side and rear extensions to the northern and southern flank elevations of the dwelling. Both extensions would have a width of 7.3m and a maximum depth of 12m, extending 5.8m beyond the main two storey rear elevation of the original dwelling. Both extensions would be set back 2.4m from the main two storey central front elevation. The side and rear extensions would both have a hipped roof form, with a maximum height of 9.4m, set down approximately 1.1m from the maximum ridge of the host dwelling and an eaves height of 5.6m to match the existing. Dormer windows are proposed in the external-facing and internal-facing flank roofslopes of the proposed side/rear extensions. They would have a width of 1.5m, depth of 2.2m and a height of 2.2m.

- 3.3 The proposal includes a loft conversion to the original house, and the insertion of a pitched roof dormer window within the main rear roofslope. The rear dormer window would have a width of 2.3m, a height of 2.4m and a depth of 1.1m.
- 3.4 The proposal would include alterations to fenestration, replacing the existing windows with timber casement windows to match the existing, and the insertion of a large glazed feature to the central rear elevation.
- 3.5 The proposal would include an extension to the driveway such that it would extend across the front elevation of the dwelling, replacing the existing pedestrian access, with a width of 5.1m. The retaining wall would be moved forward to accommodate the increased width of the hardstanding to the front of the dwelling, and balustrading measuring a width of 15.9m and a height of 1.4m would be constructed to the front of the driveway, set back a minimum of 25m from the front boundary of the site. The increase in width of the hardstanding across the front elevation of the dwelling would reduce some of the soft landscaping and vegetation closest to the dwelling, however the majority of the soft landscaping to the frontage would be retained, including the mature protected trees along the site frontage.
- 3.6 The current application has a similar description to the previously refused application references 19/2093/FUL and 20/0283/FUL. The differences between the previously refused applications and the current application are as follows:
- The previously proposed two storey extension with basement accommodation to the northern flank has been removed, thereby reducing the width of the proposed side extension to the northern flank by 5.8m. In addition, the removal of the previously proposed basement accommodation means the lightwell previously proposed to the front elevation has also been removed.
 - The side extensions are set further back from the main central front elevation by 2.2m (whereas previously the setback was 0.2m)
 - The previously proposed crown roof forms of the two storey side extensions are no longer proposed, with the extensions now having hipped roofs with a single ridge.
 - The main roof of the original dwelling is to be retained
 - The number of dormers within the rear roofslope of the original dwelling has been reduced from 3 dormers to 1 dormer.
 - The fenestration proposed within the extensions, and the retained building's replacement fenestration, has been altered such that it would now match the existing dwelling. The fenestration previously proposed varied in terms of style across the extensions and original part of the dwelling.
- 3.7 Additional plans were sought and received during the course of the current application to indicate the extent of demolition on the proposed floor plans. The current application is accompanied by a demolition method statement and plan (drawing number 2.04 Rev A), as well as a Biodiversity Checklist, Preliminary Ecological Appraisal (Aven Ecology July 2019), Bat Emergence and Re-entry Surveys (Astute Ecology, July 2020) and Great crested newt eDNA Survey (Astute Ecology, July 2020). The application is also accompanied by a Design and Access Statement and a Heritage Statement.

4 Consultation

4.1 Statutory Consultation

4.1.1 Batchworth Community Council: [Objection]

Batchworth Community Council requests that this application is called into the District Council's Planning Committee unless Officers are minded to refuse.

We consider the overall scale of the proposed demolition on both flanks of the house (and, to a significant extent, internally) substantially and overwhelmingly harms and undermines the character and appearance of the original attributes of this pre-1958 dwelling.

4.1.2 Herts and Middlesex Wildlife Trust: No response received.

4.1.3 Hertfordshire Ecology: [No Objection]

Thank you for consulting Hertfordshire Ecology on the above. The site comprises a large detached two storey dwelling with single storey extension and incorporated double garage, a separate garage, disused swimming pool, scattered trees, tree lines, amenity grassland (lawn), bare ground and compost heap, and hardstanding (drive and patio). The property backs onto Moor Park Golf Course, which is designated a Local Wildlife Site (LWS) for its grassland interest. There are records of bats, birds, Great crested newts, badgers, hedgehogs, and reptiles in the area.

Local Wildlife Site

*I do not anticipate any adverse effects from the proposal on the adjacent LWS, however, I advise the following **Condition/Informative** is added to any permission granted:*

“All works, including vehicle movements, materials and waste, are kept strictly within the curtilage of the proposed development site and that under no circumstances should there be any detrimental physical impact to the adjacent Local Wildlife Site.”

I am pleased to see a number of ecological reports have been submitted in support of the application:

- *Preliminary Ecological Appraisal (Aven Ecology, July 2019)*
- *Bat Emergence and Re-entry Surveys (Astute Ecology, July 2020)*
- *Great crested newt eDNA Survey (Astute Ecology, July 2020)*

Preliminary Ecological Appraisal (PEA)

The site was visited on 9 June 2019 to describe the main habitats; evaluate the potential value of these habitats to support protected species; evaluate the impact of the proposals on the ecological interest found, recommend further surveys, and provide mitigation measures (if necessary).

Trees

There are a number of trees on site, some with TPOs. The majority will remain unaffected by the proposal. Removal of mature trees should be replaced on a two-for-one basis. New trees and shrubs should ideally include native species, particularly those that bear blossom, fruit (berries) and nectar to support local wildlife.

Existing trees (including roots and overhanging branches) that are remaining on or adjacent to the site should be protected from damage. Protection barriers and/or a no-dig policy may be required and advice may need to be sought from an Arboriculturalist.

Bats

Following the initial daytime Preliminary Bat Roost Assessment in June 2019 when the house was assessed to have high potential and the separate garage moderate potential for roosting bats, two follow-up dusk emergence surveys were recommended to determine presence/absence and provide appropriate mitigation if required.

The nocturnal surveys were undertaken on 16 and 30 July 2020 and no bats were recorded emerging from the buildings. Consequently, no roosts were confirmed and no further surveys or mitigation is required. Notwithstanding the above, as bats are known to be in the

area, I recommend a precautionary approach to the works is taken and advise the following Informative added to any permission granted:

“In the event of bats or evidence of them being found during works, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.”

Terrestrial mammals

The site and adjoining LWS provide suitable habitat for hedgehogs, whilst the site could be used by foraging badgers, and both species are recorded as being present in the locality. Consequently, I recommend the following Informative is included with any consent given:

“Any excavations left open overnight should be covered or have mammal ramps (reinforced plywood board >60cm wide set at an angle of no greater than 30 degrees to the base of the pit) to ensure that any animals that enter can safely escape – this is particularly important if the holes fill with water. Any open pipework with an outside diameter of greater than 120mm must be covered at the end of each working day to prevent animals entering/becoming trapped.”

Great crested newts

Smooth newts were observed in the disused swimming pool during the June 2019 survey. The water was analysed for Great crested newt DNA and resulted in a ‘below average score’: however as they are known to be in the wider area, further survey work was recommended to determine the presence/absence within the site and provide mitigation if necessary.

*An assessment for Great crested newts was undertaken on 10 July 2020. The swimming pool was considered to be unsuitable for them, and an updated eDNA survey provided a negative result. It is concluded that Great crested newts are highly unlikely to be negatively impacted by the proposal and no further surveys or mitigation is required. Notwithstanding the above, as Great crested newts are known to be in the wider area, I recommend a precautionary approach to the works is taken and advise the following **informative** added to any permission granted:*

“In the event of Great crested newts being found during works, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.”

Nesting Birds

*Evidence of old birds’ nests was noted in both the house and garage. It is possible that birds will nest in trees in the garden too. I recommend the following **Condition** is added to any permission granted:*

“Any demolition work and tree felling should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the rear should be made no more than two days in advance of clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.”

To conclude

I consider the LPA has sufficient information on European Protected Species (i.e bats and Great crested newts) for determination. The above-mentioned Conditions and Informatives will avoid an offence against protected species and damage to the adjacent LWS being committed.

Any enhancements for bats, birds, hedgehogs and pollinators would be welcomed.

4.1.4 National Grid: No response received.

4.1.5 Landscape Officer: [No Objection]

In line with previous applications I have no objections to the proposal or the removal of specified trees.

I have to assume that since the current application is still not accompanied by a formal tree report, that the applicant has no objections to this being provided as a pre-commencement condition.

In light of the above and previous comments made in earlier applications, I do not wish to raise any objections, but require further information, in the form of an arboricultural method statement, to be provided via condition to address outstanding arboricultural concerns.

4.1.6 Conservation Officer: [No Objection]

This application follows two previous proposals for a similar scheme (19/2093/FUL and 20/0283/FUL) which were refused.

There have been considerable improvements to the appearance of the proposed extensions and fenestration. The massing has been significantly reduced by removing the extension with basement to the north side of the property. The proposed extensions are more appropriate in scale and are sufficiently set back from the existing building line to allow the original central part of the building to remain a prominent feature. The proposed fenestration is now unified in appearance and more representative of the architectural style and age of the property. The proposed alterations are considered to successfully reflect the architectural character of the existing property as well as the Conservation Area. Therefore, I raise no objection to this proposal.

Were permission to be granted, I request the following conditions are imposed:

- *Details of the materials, including photographs, to be used on the external finishes shall be submitted to and approved in writing by the local planning authority prior to their first use on site. The development shall be implemented in accordance with the approved details and permanently maintained as such.*
- *Additional drawings of new windows and doors in section and elevation, at a scale between 1:1 to 1:20 as appropriate, shall be submitted to and approved in writing by the local planning authority prior to their first installation on site.*
- *Details of all hard landscaping, including balustrading, must be approved in writing by the local planning authority prior to the commencement of any hard landscaping works.*

Additional details in relation to the extent of demolition were submitted following receipt of the consultee comments. The Conservation Officer made the following comments on the submitted details:

The extent of demolition appears acceptable as the original middle portion of the house remains intact and just the later wings are demolished. However, clarification may be sought in terms of the roof structure of the original portion of the house, as this is unclear from the floor plans.

There were concerns about the cumulative impact of the overall scheme previously, and the balustrading seemed too much alongside everything else previously proposed. Although the balustrading could cause cumulative harm to the Conservation Area if this was allowed throughout the Conservation Area, in my opinion as long as the scheme retains the open frontage with soft landscaping and minimal hardstanding, it would preserve the

character and appearance of the Conservation Area. Details should be conditioned however.

4.1.7 Moor Park (1958) Ltd: [Objection]

The Directors of Moor Park (1958) Limited would wish to raise the following objections, concerns and/or related comments on the application proposals as follows:-

In our opinion the clear provisions contained within paragraphs 3.1, 3.4 and 3.11 of the approved Moor Park Conservation Area Appraisal (MPCAA) are directly relevant to the application and are therefore material planning considerations. Consequently, we would formally request that the Council has full regard to these issues in its determination of the application.

1. At the outset, it is clear that the current application follows TWO relatively recent refusals by the Council of schemes for an extensive range of demolitions, large scale extensions and related alterations at this important pre58 dwelling in the Moor Park Conservation Area; under refs 19/2093/FUL and 20/0283/FUL, where on both occasions, sound and well-founded material planning grounds (containing several elements of opposition) were cited' as follows (in part):-

"The proposed development by reason of the scale, design and the extent of alterations and extensions and resultant loss of original features would adversely affect the character and appearance of the pre-1958 dwelling, streetscene and wider Conservation Area, failing to preserve or enhance the character and appearance of the heritage asset..." (ref 19/2093/FUL)

And:-

"The existing dwelling was built prior to 1958 and makes a positive contribution to the character and appearance of the streetscene and the Moor Park Conservation Area. The proposed extensions including frontage alterations when viewed cumulatively by virtue of their excessive scale, bulk and design would over-dominate the pre-1958 dwelling thereby eroding its special character..." (ref 20/0283/FUL).

Consequently, and as a matter of planning principle, we are strongly of the view that the Council needs to be completely satisfied that all aspects of **both** of the previous planning refusals have been **fully** addressed and entirely overcome in regard to any adverse impact the latest proposed development has on the character and appearance of this important pre58 dwelling and the Conservation Area before considering whether there are sufficient merits in this latest application to grant planning permission.

In our opinion, while we recognise and acknowledge the improvements and modifications that have now been made since the previous schemes, we still consider that insufficient regard has been taken of the previous refusals to merit a grant of planning permission for this latest development scheme. This is on the basis as follows:-

2. We consider that the **overall scale of the proposed demolition on both flanks of the house** (and, to a significant extent, internally) substantially and overwhelmingly harms and undermines the character and appearance of the original attributes of this pre58 dwelling and the positive contribution that it makes to the setting, character and appearance of the Moor Park Conservation Area, as clearly set out in the two previous refusals.

The footprints and facades at both ends/flanks of the house (each at the significant width of 6m and depth of 12m) are being entirely replaced. This is **not** the same as safeguarding, **protecting and retaining** this important pre-58 property, and

consequently is materially **not** in accordance with the objectives and provisions of paragraph 3.1 of the MPCAA which states that the Council “will give high priority to retain buildings which make a positive contribution to the... Conservation Area” (viz erected prior to 1958).

In addition, paragraph 2.7 of the MPCAA affirms that the buildings on the Moor Park Estate that make a “positive contribution” to the Conservation Area will be those “examples of relatively unaltered buildings where their style, detailing and building materials are characteristic of the conservation area”.

In light of the above, we would respectfully contend that the resultant **total extent of demolition throughout the scheme** is materially harmful to the integrity of the dwelling by virtue of the extent to which it entirely and unacceptably over-dominates (and threatens the very existence) of the existing property.

Consequently, in our opinion and on the basis of the above alone, we wish to **formally object** to the scheme and request that the application should again be refused.

As Senior Officers of the Council will be aware, we have previously received very clear commitments in writing from the Council’s Chief Executive over the heightened levels of scrutiny and assessment we can expect such schemes to receive from the Council, including the requirement for the submission of drawings that clearly indicate the exact extent of proposed internal and external demolition by the highlighting of hatching lines (or similar) laid over proposed floor layouts. This has not been undertaken, as far as we can see, in the current submission. We firmly believe that this scheme is exactly the type of development (and the threat to/loss of a pre58 dwelling) that triggered our previous complaints and subsequent correspondence with, and reassurances from, the Chief Executive.

As a result, we believe it is very misleading to describe the development as only the “partial demolition” of the existing dwelling. Indeed, a greater extent of footprint is being demolished and replaced (approx. 168sqm), compared to that which is not being demolished (i.e only the central part of the approx. 119sqm). Consequently, we believe the proposal constitutes the **substantial demolition** of this important pre-58 dwelling in the Conservation Area and given the over dominant scale of the new development, we would contest that this application is, in fact, tantamount to a **replacement dwelling on the site.**

3. We note that the proposed plot coverage has been reduced in the current scheme to approx. 14.5% which of course is very close to the maximum of 15% as set out in para 3.4 of the approved MPCAA. We note that the previous refused scheme was calculated at 16.5%.

In the interests of maintaining and preserving one of the key aspects that defines the character and appearance of the Moor park Conservation Area in terms of the openness and the generally low level of development on individual plots, we would ask that the Council has full regard to provisions of para 3.4 of the MPCAA in the assessment and determination of this application. As part of this we would respectfully ask that the exact dimensions/measurements of the site be closely assessed on site.

Furthermore, it is our view that, in light of how potentially close the submitted scheme is to the maximum plot coverage (and clearly only if the Council is minded towards an approval of the scheme), that the implications of the **removal of all residential permitted development rights** also stand to be taken into account by the Council in the determination of the application.

4. We would comment that we can see no notable difference in the proposed construction of the driveway extension, retaining wall and stone balustrading across the front of the dwelling in the current application compared to the proposals shown in the previously refused scheme.

As the Council will be aware, paragraph 7.12 of the Officers’ previous report stated:-

“Whilst it is acknowledged that there is an existing retaining wall to the frontage, it is considered that the replacement balustrading would introduce additional urbanising features within the application site frontage which would be at odds with the verdant character of the Conservation Area, and would appear unduly prominent within the streetscene.”

In our opinion, the same situation exists in the current application and there have been no material change of planning circumstances since the previous refusal. Consequently, we would wish to formally object to the intrusive and harmful “urbanising” form of development by virtue of any increase of hardstanding, raised walls and additional balustrading that in our opinion would fail to preserve or enhance the character or appearance of the Moor Park Conservation Area.

As a result, we would respectfully invite the Council to reach the same conclusion as it did before and refuse the application on this basis. In doing so the Council will be aware of the restraints (and objectives) contained in para 3.11 of the MPCAA. We believe that this is all the more important in the context of this proposal being across the frontage of an important pre-58 dwelling that makes a positive contribution within the setting of the designated Conservation Area.

5. Finally, while overlooking (and resultant associated loss of privacy) is normally an issue for neighbours to comment on, we are mindful of the introduction of additional side facing dormers within the proposed new roof accommodation in both flanks of the proposed extensions to the property. If there is any prospect of any material loss of privacy to either of the neighbouring properties, by reason of the overlooking from these elevated vantage points, we would ask the Council to have specific regard to this important issue in the assessment and determination of this application.

We trust the above response, based on what we regard as relevant and material planning considerations, primarily within the approved MPCAA, is of assistance to you.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 4

4.2.2 No of responses received: 3 objections, 0 letters of support

4.2.3 Site Notice: Expired: 13.08.2020 Press notice: Expired: 14.08.2020

4.2.4 Summary of Responses:

- The roof dormers overlooking No.12 and No.8 Astons Road should be removed. As well as overlooking neighbouring properties, they were not part of the original design and therefore detract from the overall appearance.
- Proposed works are extensive and will drastically alter the preserved pre-1958 character.
- Scale of proposed extensions to both ends of the house and resulting increase plot coverage would neither preserve nor enhance the character of this important pre-1958 house in the Conservation Area.
- Proposed balustrading to the front would have a grandiose appearance, and this, along with retaining wall, would further diminish the character of the house by adding urbanising features.
- Concerns relating to increase in hardstanding.

- This house is one of approximately six houses that remain unaltered. It makes a positive and most important contribution to the streetscene and character of Astons Road and the wider Conservation Area and should be protected.

Officer Comment: *'All material planning considerations are outlined within the relevant analysis sections below.'*

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

In 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 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, DM3, 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.

The Moor Park Conservation Area Appraisal (2006).

7 Planning Analysis

Due to the on-going Coronavirus pandemic and the current social distancing measures in place no site visit was undertaken by the Case Officer for the purposes of the current application. However, the Officer had previously visited the site under the previous applications. It is considered that the information received and use of other technological platforms has enabled the LPA to assess the application.

7.1 Impact on Character of Host Dwelling, Street Scene and Conservation Area

- 7.1.1 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'.
- 7.1.2 As the site is located within the Moor Park Conservation Area, Policy DM3 of the Development Management Policies LDD (adopted July 2013) is also applicable. Policy DM3 sets out that within Conservation Areas, development will only be permitted if the proposal is of a scale and design that preserves or enhances the character and appearance of the area. Appendix 2 of the Development Management Policies document sets out that single storey rear extensions to detached properties should not exceed a depth of 4m.
- 7.1.3 The Moor Park Conservation Area Appraisal (2006) provides supplementary planning guidance and is a material planning consideration in the assessment of applications within the Moor Park Conservation Area.
- 7.1.4 Paragraph 3.1 of the Appraisal is relevant to the consideration of this application which states that the Council "*will give high priority to retaining buildings which make a positive contribution to the ... Conservation Area*" and that, as a guide, the Council will seek the retention (and suitable protection) of buildings erected prior to 1958. Paragraph 2.7 is also of relevance to the consideration of this application, which states that the buildings on the Moor Park Estate that make a "positive contribution" to the Conservation Area will be those "*examples of relatively unaltered buildings where their style, detailing and building materials are characteristic of the conservation area*". Paragraph 2.4 of the appraisal states with specific regard to Astons Road; '*it is recognised that there has been a change in character in Astons Road (the section closest to Batchworth Lane) as a result of recent redevelopment particularly on large plots*'.
- 7.1.5 Dating from 1926, the original building is part of the earliest building phases within the estate, which are given great weight within the Moor Park Conservation Area Appraisal document. It is noted that the original dwelling was extended following grants of planning permission in 1983 and 1987 and these resulted in the dwelling on site today. The Council's Conservation Officer was consulted on the proposed development and considered that there have been significant improvements to the appearance of the proposed extensions and fenestration since the previous planning application. The removal of the previously proposed extension and basement to the northern flank of the dwelling has significantly

reduced the massing of the proposal, and the Conservation Officer considers the proposed extensions to be more appropriate in scale and sufficiently set back from the existing main front façade to allow the original central part of the building to remain a prominent and distinguishable feature. Furthermore the proposed fenestration is considered to be unified in appearance, and more representative of the architectural style and age of the property.

- 7.1.6 The Heritage Statement submitted by the applicant accompanying the current application includes a table of approved changes to buildings on Astons Road in proximity to number 10, including number 10, at 4.13. Paragraph 4.17 of the Heritage Statement states a two storey extension of poor quality has been constructed to the flank of the existing dwelling, and although relatively unobtrusive, this unbalances the proportions of the house. This is consistent with the comments made by the Conservation Officer as part of the previously refused application reference 20/0283/FUL which stated; *'Currently, the side extension to the south of the property is set back and is visually unobtrusive in views from the driveway and garden path, further extensions should follow this subservient form'*. The Conservation Officer also commented as part of the previously refused application; *'In principle, I do not object to the extension to the right hand side of the property, which will reinstate a sense of symmetry to the dwelling, emphasising the classicising proportions of the central section of the main façade'*.
- 7.1.7 The proposed side and rear extensions which form part of the current application extend to the rear of the site, and are stepped back from the original central front façade of the house. The proposed extensions would not extend forward of the existing side extension to the southern side of the dwelling. The proposal creates a U-shaped footprint, set back from the main central façade which would remain the prominent feature of the original pre-1958 dwelling. In addition, reinstating and enhancing the symmetry of the building, as recommended previously by the Conservation Officer, would improve the existing adhoc arrangement in terms of single storey and two storey side projections. The proposed side and rear extensions would have hipped roof forms, reflecting the character and appearance of the host dwelling, and the proposed ridge lines of the extensions would be set down approximately 1.1m from the maximum ridge of the dwelling, thus the extensions would have the appearance of subordinate additions when viewed from the application site and streetscene of Astons Road.
- 7.1.8 It is important to ascertain whether the proposals comply with the planning guidance for Moor Park as set out in the Conservation Area Appraisal (Oct 2006). Key aspects of the Moor Park guidance in relation to this application are the percentage of plot coverage in area, plot width coverage and distance to the boundaries. The Moor Park Conservation Area Appraisal sets the following guidance:
- Maximum building line width of 80% at the front building line
 - Maximum plot coverage of 15%
 - Minimum 1.5 metre gap maintained between dwellings and flank boundaries.
- 7.1.9 The proposal would reduce the overall width of the dwelling by approximately 2.9m, thus the maximum building line width as a result of the proposed development would be 66%. Therefore, the proposal would comply with the guidance set out within the Conservation Area Appraisal in this regard. In addition, the built form would be set in a minimum of 4.7m from the northern boundary and 4m from the southern boundary. Under the previously refused application reference 20/0283/FUL, it was acknowledged that whilst the proposal would comply with the guidance set out within the Conservation Area Appraisal in this regard, the extensions to the north would erode the spacious nature of the plot, and would erode the existing openness between the existing dwelling and detached garage and from public vantage points it may appear that the building line would extend across approximately 94% of the plot width. The current proposal would increase the spacing between the built form of the host dwelling and the existing detached garage, and as such would increase the perception of spaciousness across the application site. Moreover, the proposal would result

in a plot coverage of 14.5%, rather than the 16.5% previously proposed under application reference 20/0283/FUL. Therefore, given the spacing maintained around the host dwelling and flank boundaries, the width, height and hipped roof form of the proposed extensions, and that the side extensions would be set back 2.4m from the main central façade of the host dwelling, it is not considered that the proposed extensions would appear cramped or detract from the character or appearance of the original pre-1958 features and central façade of the building.

- 7.1.10 The previously refused application reference 20/0283/FUL included sunken crown roofs to both flank projections and five flat roof dormer windows within the rear roofslope of the dwelling, across the two flank projections and the central element. Truncated roof forms are highly resisted within the Moor Park Conservation Area due to their non-traditional appearance, appearing stark and incongruous compared to the traditional pitched and hipped roofs which feature prominently across the Conservation Area. The depth and design of the extensions have been altered such that the proposed extensions would have hipped roof forms, and the sunken crown roofs have been removed. It is considered that the traditional hipped roof forms reflect the prevailing character and appearance of the original dwelling and the Conservation Area, thus the proposed extensions relate acceptably to the host dwelling, neighbouring dwellings within the streetscene and the Moor Park Conservation Area.
- 7.1.11 In relation to the proposed dormer windows, Appendix 2 of the Development Management Policies document outlines that dormer windows should always be subordinate to the main roof. Multiple dormers should be proportionate in scale and number to the host roof. The Moor Park Conservation Area Appraisal states that where acceptable, dormer windows, for good proportions and balance, should appear subservient to the roof, placed well down from the main ridge and should have smaller windows than the main fenestration.
- 7.1.12 The proposed dormer windows are considered proportionate in terms of number and scale, and would be set down from the ridge line of the rear and flank roof slopes, and set up from the eaves. The proposed fenestration is considered to be appropriate in terms of scale and design. The majority of dormers, with the exception of one located within the rear roof slope, would be located within the extension roof slopes, thus the original roof of the central part of the dwelling would retain its natural and original form, and the roof slope would not appear cluttered nor dominated by the proposed dormer windows.
- 7.1.13 The proposed rear extensions would extend 5.8m beyond the main two storey rear elevation of the dwelling. Whilst it is acknowledged that the proposed extensions would exceed the guidance set out within Appendix 2, given the design and width of the rear extensions, that they would not extend across the entire rear elevation of the dwelling, and that neighbouring properties have implemented extensions of a similar size and scale, it is not considered that the depth of the proposed extensions would result in harm to the character or appearance of the host dwelling, streetscene or Conservation Area.
- 7.1.14 The proposed retaining wall and balustrading to the frontage would replace the existing retaining wall with stone balustrading with a maximum height of 1.3m. It is acknowledged that there is an existing retaining wall to the frontage. It was previously considered under application reference 20/0283/FUL that the replacement balustrading would introduce additional urbanising features within the application site frontage which would be at odds with the verdant character of the Conservation Area and would appear unduly prominent within the streetscene, and was considered that the cumulative impact of the various elements of the previously refused application would have appeared unduly prominent within the streetscene. Given that the proposed extensions subject of the current application would be set back from the front central façade, the reduction in scale and massing of the proposal, that the spaciousness surrounding the built form to the flank boundaries of the site would be increased, that the proposal would not introduce hardstanding closer to the front boundary of the application site as it would replace the existing pathway to the front of the dwelling, on balance, it is considered that the proposed retaining wall and balustrading

in their own right would not result in demonstrable harm to the character and appearance of the host dwelling, streetscene and Conservation Area so as to justify the refusal of planning permission in this regard. It is considered that a significant level of soft landscaping to the application site frontage would be retained which would soften the overall visual impact of the proposed retaining wall and balustrading and would maintain the open frontages which characterise the Conservation Area.

- 7.1.15 Concerns were raised by the Conservation Officer and Moor Park (1958) Limited under the previously refused application reference 20/0283/FUL in relation to the amount of demolition which formed part of the proposed development. Paragraph 3.1 of the Moor Park Conservation Area Appraisal (October 2006) states the Council will give high priority to retaining buildings which make a positive contribution to the Conservation Area. The current application is accompanied by a demolition floor plan (drawing number 2.04 Rev A) and a demolition method statement. The method statement states that the main areas of demolition involve the removal of two areas of previous extensions to the north and south of the dwelling. At ground floor level, internally the demolition includes alterations to the existing staircase and entrance bay which would not involve load bearing walls and would not therefore impact the structural integrity of the dwelling. Furthermore, the demolition statement suggests that the demolition that is proposed would not remove any loadbearing walls and would therefore not impact the original first floor structure of the building. Notwithstanding this, the statement confirms that limited propping of the existing first floor will be undertaken to ensure safety during demolition. The front roofslope of the original roof slope would remain as part of the current application, as would the rear roofslope other than the insertion of the rear dormer. Whilst larger windows would be inserted as part of the proposed development, which would result in the additional loss of brickwork, these would reinstate original window proportions and the visual impact of the new windows, given the design to match the existing windows and the consistent appearance of the windows, is considered to enhance the appearance of the building. The previously refused application reference 20/0283/FUL included the removal of the majority of internal walls, and the removal of the roof of the original part of the dwelling, thus it was considered to amount to the almost total demolition of the pre-1958 dwelling. The current application seeks to demolish the existing extensions to the flank elevations of the dwelling, retaining the majority of internal walls and propping the first floor and roof whilst demolition works are being undertaken to ensure the pre-1958 elements of the dwelling would be retained.
- 7.1.16 In summary, it is considered that the proposed extensions would be subordinate additions to the original pre-1958 dwelling, following the demolition of unsympathetic, unbalanced extensions to the northern and southern flanks of the dwelling. Therefore, it is considered that the proposal would respect the character and appearance of the host dwelling, streetscene and Conservation Area, a designated Heritage Asset. As such, the development would accord with Policies CP1 and CP12 of the Core Strategy, Policies DM1, DM3 and Appendix 2 of the Development Management Policies document and the Moor Park Conservation Area Appraisal.

7.2 Impact on Amenity of Neighbours

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

- 7.2.2 The proposed two storey side and rear extensions would not intrude a 45 degree splay line when taken from a point on the shared boundary level with the rear elevation of the neighbouring properties to the north and south. Whilst the extension to the north of the dwelling would extend closer to the shared boundary with the neighbour to the north, the extension would be set in 3.6m from the northern boundary at its deepest point and a spacing of approximately 9.7m would be retained between the flank wall of proposed extension, and the southern flank wall of the neighbouring property to the north. Therefore, given the hipped roof form of the proposed extension and the spacing maintained between the proposed extension and the northern flank boundary, it is not considered that the proposed side and rear extension would appear overbearing or result in loss of light to the neighbour to the north. The proposed side and rear extension to the south would be angled away from the neighbour to the south and would be sited approximately 21.3m from the northern flank wall of the neighbour to the south, and therefore it is not considered that the proposed extension would result in any harm to the neighbour to the south.
- 7.2.3 The proposal would include a loft conversion, with a dormer window within the rear roofslope located centrally, two dormer windows located within the northern flank of the northern side and rear extension, two dormer windows located within the southern flank of the southern side and rear extension, and one dormer within the flank elevations of the side and rear extension, facing inwards. Given the size and scale of the proposed dormers, it is not considered that the proposed dormers would appear overbearing or result in loss of light to neighbouring amenity. Whilst it is acknowledged that neighbour objections have been received in relation to overlooking, the northern flank dormer windows, and southern flank dormer windows would serve a bathroom and would be a secondary bedroom window. Therefore, given the location of these dormers, it is considered reasonable to attach a condition to any planning permission to require the windows within these dormers to be obscurely glazed and top level opening, to prevent unacceptable overlooking from occurring. It is not considered that the rear dormer, nor the flank dormers facing inwards would result in any overlooking.
- 7.2.4 The proposed side and rear extension to the south would include fenestration at ground floor level within the southern flank. Given the ground floor siting of the proposed fenestration, and that the proposed extension would be set in from the southern flank boundary, it is not considered that the proposed flank fenestration would result in any overlooking. Fenestration is proposed within the front and rear elevations of the side and rear extensions at ground and first floor levels. The fenestration within the front elevation would have an outlook of the application site frontage, and would not result in any overlooking. The fenestration to the rear would have a similar view to that already available from the first floor fenestration, and would not result in unacceptable overlooking. Additional fenestration is proposed within the flank elevations of the extensions facing into the central patio area, thus the proposed fenestration would not result in any overlooking. The large glazed feature to the rear would have an outlook of the amenity space to the rear of the application site, and would not result in any overlooking.
- 7.2.5 Given the nature of the proposed works to the frontage including the extension to the driveway, retaining wall and balustrading, it is not considered that this element would result in any harm to neighbouring amenity.
- 7.2.6 In summary, it is not considered that the proposed development would result in any harm to neighbouring amenity.

7.3 Amenity Space Provision

- 7.3.1 The proposal would result in a seven bedroom dwelling (two additional bedrooms). 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. Specific standards for amenity space are set out in Appendix 2 of the Development Management

Policies LDD. A rear garden of over 510sqm would be retained which would exceed the standards set out within Appendix 2 of the Development Management Policies document.

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 Preliminary Ecological Appraisal (Aven Ecology, July 2019), Bat Emergence and Re-entry Surveys (Astute Ecology, July 2020) and Great crested newt eDNA Survey (Astute Ecology, July 2020).
- 7.4.4 Hertfordshire Ecology have been consulted on the current application, and have confirmed that the submitted details are sufficient to determine the current application. Hertfordshire Ecology have recommended the inclusion of conditions and informatives to ensure that the proposed works are carried out in accordance with the submitted details.

7.5 Trees and Landscaping

- 7.5.1 Policy DM6 of the Development Management Policies 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. There are four trees along the front boundary of the application site which are subject to TPO119, with other mature trees also afforded a level of protection due to the location of the application site within the Moor Park Conservation Area.
- 7.5.2 The Landscape Officer has been consulted on this application, and has confirmed that the submitted topographical survey plan with annotated fence line is sufficient in this instance, given the relatively low level of development located within a previously hard landscaped area. In addition, three trees are being removed from the application site frontage. Notwithstanding this, it is considered reasonable to attach a pre-commencement condition to any planning permission to require a detailed tree protection scheme to be submitted to and approved by the LPA prior to the commencement of works to ensure that the proposal would not result in any harm to the protected trees onsite.

7.6 Highways, Access and Parking

- 7.6.1 Policy DM13 of the Development Management Policies LDD requires development to make provision for parking in accordance with the parking standards set out at Appendix 5 of the Development Management Policies LDD. The dwelling would retain a driveway large enough to accommodate at least three cars which would be in accordance with policy for a dwelling of this size.

8 Recommendation

- 8.1 That PLANNING PERMISSION BE GRANTED subject to the following conditions

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

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

- C2 The development hereby permitted shall be carried out in accordance with the following approved plans: 1.00, 1.01, 1.02, 1.03, 2.00 Rev H, 2.01 Rev J, 2.02 Rev J, 2.03 Rev G, 2.04 Rev A and 2.05.

Reason: For the avoidance of doubt, in the proper interests of planning and to safeguard the character and appearance of the Moor Park Conservation Area; in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013), the Moor Park Conservation Area Appraisal (adopted 2006) and the NPPF (2019).

- C3 No development or other operation shall commence on site whatsoever until an arboricultural method statement (prepared in accordance with BS: 5837 (2012) 'Trees in relation to design, demolition and construction') has been submitted to and approved in writing by the Local Planning Authority. This method statement shall include details of timetables of works, method of demolition, removal of material from the site, importation and storage of building materials and site facilities on the site, tree protection measures and details including location and depths of underground service routes, methods of excavation and construction methods, in particular where they lie close to trees.

The construction methods to be used shall ensure the retention and protection of trees, shrubs and hedges growing on or adjacent to the site. The development shall only be implemented in accordance with the approved method statement.

The protective measures, including fencing, shall be undertaken in full 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 ensure that no development takes place until appropriate measures are taken to prevent damage being caused to trees during construction, 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).

- C4 Before any building operations above ground level hereby permitted are commenced, samples and details, including photographs, of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

Reason: To prevent the building being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C5 Prior to the commencement of any works above ground level, a scheme of hard landscaping, which shall include scaled details of the proposed front retaining wall, balustrading and hardstanding, shall be submitted to and approved in writing by the Local Planning Authority. These elements shall thereafter be implanted only in accordance with the approved details.

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area in the interests of the visual amenity of the area 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).

- C6 Before the installation of any fenestration on site, additional drawings of all new windows and doors in section and elevation, at a scale of 1:1 to 1:20 and including details of proposed materials as appropriate, shall be submitted to and approved in writing by the Local Planning Authority and no external fenestration shall be installed other than those approved by this condition.

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, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C7 Before the first occupation of the building/extension hereby permitted the windows in the dormer windows located within the northern flank roofslope of the northern side and rear extension, and the southern roofslope of the southern side and rear extension; shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

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

- C8 All works, including vehicle movements, materials and waste, shall be kept strictly within the curtilage of the proposed development site and shall, under no circumstances, result in any detrimental physical impact to the adjacent Local Wildlife Site.

Reason: To ensure to ensure that any protected species are safeguarded and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C9 Any demolition work and tree felling should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practical, a search of the area should be made no more than two days in advance of clearance by a competent Ecologist and if active nests are found, work should stop until the birds have left the nest.

Reason: To protect the amenities of wildlife during the primary nesting season and to meet the requirements of Policies CP1 and CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C10 The works of demolition of the existing extensions to the dwelling known as "Chelsea House, 10 Astons Road" hereby authorised shall be carried out in accordance with the submitted Demolition Method Statement and Demolition Floor Plan (Drawing Number 2.04 Rev A).

Reason: To ensure that the original pre-1958 dwelling is retained in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and the Moor Park Conservation Area Appraisal (adopted 2006).

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. If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

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 In the event of bats or evidence of them being found during works, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.
- 14 Any excavations left open overnight should be covered or have mammal ramps (reinforced plywood board >60cm wide set at an angle of no greater than 30 degrees to the base of the pit) to ensure that any animals that enter can safely escape – this is particularly important if the holes fill with water. Any open pipework with an outside diameter of greater than 120mm must be covered at the end of each working day to prevent animals entering / becoming trapped.

- 15 In the event of Great crested newts being found during works, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.
- 16 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the District.