

PLANNING COMMITTEE – 10 SEPTEMBER 2020

PART I - DELEGATED

10. **20/1494/FUL - Variation of Condition 2 (Approved Plans) of planning permission 19/2213/FUL (Demolition of existing workshops and construction of a two-storey building containing 4 residential units (Use Class C3) including accommodation within the roof served by dormers to the front and rooflights to side and rear, alterations to vehicular access, associated car and bicycle parking, refuse and recycling storage, landscaping and associated works) to allow for internal alterations to the first and second floor level units at GREYSTONE WORKS, THE GREEN, CROXLEY GREEN, HERTS, WD3 3AN for Mr David Blake (DCES)**

Parish: Croxley Green

Ward: Dickinson

Expiry of Statutory Period: 18 September 2020

Case Officer: Suzanne O'Brien

Recommendation: That planning permission be granted, following the completion of a deed of variation to the Section 106 to secure the affordable housing contribution.

Reason for consideration by the Committee: This application was called to Committee at the request of Croxley Green Parish Council.

1 Relevant Planning History

- 1.1 19/2213/FUL - Demolition of existing workshops and construction of a two-storey building containing 4 residential units (Use Class C3) including accommodation within the roof served by dormers to the front and rooflights to side and rear, alterations to vehicular access, associated car and bicycle parking, refuse and recycling storage, landscaping and associated works – Permitted - 28.05.2020

2 Description of Application Site

- 2.1 Greystone Works is located to the rear of New Parade, The Green. Historically the site has been used for storage and as a roofing contractor's yard. The site contains a single storey building that is separated into four individual units, each served by a separate pedestrian access off of Windmill Drive. Each unit contains a small storage area to the rear enclosed by metal railings. Two further single storey buildings are sited to the rear and an external storage area is sited to the south of the site. The site boundaries consist of single storey brick walls of the buildings and other brick walls sited around the boundaries of the site.
- 2.2 The site is served by a vehicular access to the south. The site can also be accessed via New Parade.
- 2.3 Immediately to the east of the site of the site is New Parade. This is a three storey building consisting of commercial units at ground floor level and residential units at first and second floor level. These appear to be served by amenity areas located above ground floor projections facing towards the application site. A service area is sited to the rear of the building.
- 2.4 The Cottage is located to the north of the site. This is a detached residential dwellinghouse set back from The Green behind New Parade; there is also a vehicle access to The Cottage from Windmill Drive to the rear of the site. To the south of the site is an existing building which appears to be associated with the existing commercial units fronting The Green. To the west of the site is Windmill Drive, and beyond that the rear garden boundaries of properties No's.13-19 Windmill Drive which are approximately 8 metres from the application site. The ground floor level of the neighbouring building to the south is in commercial use.

3 Description of Proposed Development

3.1.1 Planning permission 19/2213/FUL granted the 'Demolition of existing workshops and construction of a two-storey building containing 4 residential units (Use Class C3) including accommodation within the roof served by dormers to the front and rooflights to side and rear, alterations to vehicular access, associated car and bicycle parking, refuse and recycling storage, landscaping and associated works'.

3.1.2 The current application seeks to vary Condition 2 of planning permission 19/2213/FUL which states:

The development hereby permitted shall be carried out in accordance with the following approved plans: 001 Rev B, (SK) 001 Rev A, 002 REV B, 012 Rev E, 011 Rev A, 200 Rev C, 600 Rev E, 601 Rev E, 602 Rev D, 603 Rev F, 700 Rev F, 701 Rev F, 702 Rev C, 800 Rev D.

Reason: For the avoidance of doubt, to protect the amenities of the street scene, Croxley Green Conservation Area and neighbouring properties in the proper interests of planning in accordance with PSP2, CP1, CP2, CP3, CP4, CP6, CP8, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3, DM4, DM6, DM8, DM10, DM13, Appendix 2 and Appendix 5 of the Development Management Policies LDD (adopted July 2013), Policies CA1, HO1, HO2, HO3 and RE2 of the Croxley Green Neighbourhood Plan Referendum Version (adopted December 2018) and Croxley Green Conservation Area Appraisal (1996).

3.1.3 The current application seeks to vary the plans numbers to revise the internal layout of the two first floor flats. Previously both of these 2 bedroom flats were split over the first and second floor levels. The current application seeks to amend the internal layout so that one flat is now fully contained at first floor level; this flat will still contain two bedrooms albeit of a smaller size and reduced living accommodation; the stairs leading to the second floor level have been removed.

3.1.4 The revised layout of the other first floor flat would include both bedrooms, family room and play room at first floor level with the kitchen/living room, home office and bathroom sited at second floor level.

4 Consultees

4.1.1 Croxley Green Parish Council: [Object]

Croxley Green Parish Council objects to the variation of condition due to:-

- The living space being relocated to the second floor.
- Concerns of overlooking and loss of privacy for existing properties in Windmill Drive.
- Comments from residents of Windmill Drive should be taken into account.

If the officer is minded to approve the variation of condition, then Croxley Green Parish Council request that it be considered by TRDC Planning Committee.

4.1.2 Conservation Officer: [No objections]

Greystone Works is located within the Croxley Green Conservation Area. There are three Grade II listed buildings (All Saints Church (The Green), K6 Telephone Box (The Green) and the Windmill (Windmill Drive). Previous advice highlighted that the heritage assets will not be impacted by the proposed redevelopment due to existing intervening development and limited views from and towards the listed buildings.

The alterations to the approved plans involve internal floor plan reconfiguration which will have no additional impact on the above listed buildings or the character and appearance of the Conservation Area. Therefore, I raise no objections to this proposal.

4.1.3 National Grid: No comments received.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 24 No. of responses received: 2 objections

4.2.2 Site Notice: Expired 24.08.20

4.2.3 Press notice: Expired 28.08.20

4.2.4 The objections received can be summarised as follows:

Overlooking; There was strong opposition to the 2019 application from the neighbours along Windmill Drive and overlooking was one of the concerns; The change from bedrooms to living accommodation would greatly increase the levels of overlooking into the gardens and rooms of neighbouring properties along Windmill Drive; Bedroom windows are not used much for viewing out, whereas the kitchen/living/dining room will be occupied much more often. The second floor level would be high relative to the dwellings along Windmill Drive; The internal layout could be reconfigured to prevent overlooking; The three floor building situated only 8 metres from our two floor properties on Windmill Drive was already a concern but relocating the living accommodation into the top floor does mean our back rooms (bedrooms and bathrooms) and rear gardens will be overlooked on a much more regular basis, so increasing our loss of privacy.

5 Reason for Delay

5.1 Not applicable.

6 Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

In February 2019 the National Planning Policy Framework was updated. This document 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 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 PSP2, CP1, CP2, CP3, CP4, CP6, CP8, 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, DM4, DM6, DM8, DM10, DM13, Appendix 2 and Appendix 5.

The Site Allocations Local Development Document (SALDD) was adopted on 25 November 2014 having been through a full public participation process and Examination in Public. Policy SA1 is relevant.

The Croxley Green Neighbourhood Plan Referendum Version (adopted December 2018). Relevant policies include: CA1, HO1, HO2, HO3 and RE2.

Croxley Green Conservation Area Appraisal (1996).

6.3 Other

Affordable Housing Supplementary Planning Document (adopted June 2011).

The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

7 **Planning Analysis**

Due to the on-going Coronavirus pandemic and the current social distancing measures in place no site visit was undertaken by the Case Officer. However, platforms such as knowledge from historic site visits, Google Maps and Google Street View were used to aid the Officer's assessment. The agent also confirmed that no works had commenced on site. It is considered that the information received and use of other technological platforms has enabled the LPA to assess the application.

7.1 Effects of the proposed changes

7.1.1 This application seeks a variation of Condition 2 (In accordance with Plans) of planning permission 19/2213/FUL to allow for internal changes only to the approved layout.

7.1.2 This application seeks to vary the layout of the first floor flats. Under the original permission 19/2213/FUL both the first floor flats were proposed to be sited over two levels with a bedroom and en-suite sited at roof level. The current application however seeks to amend the internal layout so that one flat is now fully contained at first floor level; this flat however will still contain two bedrooms albeit with smaller sized bedrooms and reduced living accommodation. The second first floor flat would however include both bedrooms, family room and play room at first floor level with the kitchen/living room, home office and bathroom sited at roof level. Although not proposed under this application there could be the potential to use the home office as an additional bedroom thus could result in one of the first floor flats being occupied as a three bedroom unit; the analysis section will take this into

consideration. To confirm this application does not however seek the provision of an additional unit.

7.1.3 Planning permission 19/2213/FUL is an extant planning permission. Although the current application seeks to amend Condition 2, which requires the works to be carried out in accordance with the approved plans, the amendments proposed seek no changes to the height, width, depth, siting, design of the building and no changes to the external layout of the site. As such, the variation of Condition 2 would not result in any changes to the assessment of harm to the setting of the Conservation Area, street scene, impact on neighbours in terms of residential amenities relating to loss of light or harm to visual amenities, housing supply, highway implications, sustainability, refuse and recycling and impact on protected species arising from the permitted scheme as set out within the Committee report of planning permission 19/2213/FUL. These matters therefore do not need to be reiterated for the benefit of the changes proposed.

7.1.4 In light of this the analysis of this Committee Report will concentrate only on the material planning considerations arising from the proposed variation of Condition 2 of planning permission 19/2212/FUL, as described in Section 3 of this report.

7.1.5 As this application has been submitted as a variation of condition under S73 of the Town and Country Planning Act, it is necessary for the conditions attached to the previous application to be included. These will be updated/varied where necessary to reflect any details which have been submitted and approved.

7.2 Affordable Housing

7.2.1 Policy CP4 of the Core Strategy stipulates that all new development resulting in a net gain of one or more dwellings will be required to provide 45% affordable housing provision. As a guide, the Council will seek 70% of the affordable housing provided to be social rented and 30% to be intermediate. For schemes of between 1-9 units a commuted payment would be accepted.

7.2.2 The need for affordable housing within the District is set out in full within the report for application 19/2213/FUL. Application 19/2213/FUL was subject to a viability appraisal which identified that an affordable housing contribution of £95,000.00 was viable and this sum was secured via legal agreement. The proposal would result in changes to the internal layout amending the habitable accommodation. The independent viability appraiser, who assessed the viability appraisal for application 19/2213/FUL, has confirmed that as the proposed alterations would not result in any increase in floorspace within the building the proposed amendments would not change the overall position on viability. A deed of variation would therefore be required to be completed prior to the grant of planning permission to secure the previously agreed £95,000.00 sum in accordance with the requirements of Policy CP4 of the Core Strategy. The varied legal agreement has been submitted in support of the application.

7.3 Impact on amenity of neighbours

7.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'.

7.3.2 Policy DM1 and Appendix 2 of the Development Management Policies LDD set out that development should not allow overlooking, and should not be excessively prominent in relation to adjacent properties.

7.3.3 The proposed development would not result in the addition of windows to any elevations and no additional fenestration would be added to the roofspace. The siting and height of the windows would be exactly as approved. The same restrictive conditions in terms of no

additional windows and obscure glazing would be added to this variation of condition application. Thus, no changes to the level of actual or perceived overlooking would result from the proposed development.

- 7.3.4 Concerns have however been raised that the change of use of the second floor level to the front of the building served by dormers from two bedrooms to a living/kitchen area would result in an increased level of overlooking into the neighbouring properties on the opposite side of Windmill Drive. Although the proposed development would change the internal layout of the building it is not considered that the change from two bedrooms into a living room/kitchen would result in any greater levels of overlooking into the neighbouring properties especially as both layouts proposed habitable accommodation served by the front dormers. Thus, no objections are raised to the proposed internal changes as it is not considered that these changes would result in any increased levels of perceived or actual overlooking into the neighbouring properties in comparison to the approved scheme.

7.4 Amenity Space and Parking Provision

- 7.4.1 The development would result in a reconfiguration of the first floor flats however no alterations to the external amenity space or parking provisions are proposed. Notwithstanding this, as previously advised the home office could be utilised as a bedroom and as such it is prudent to assess the impact a potential additional bedroom would have on the amenity space and parking provisions provided on site and serving the proposed development.
- 7.4.2 Appendix 2 of the DMP LDD stipulates that one bedroom flats should be served by 21 square metres with an additional 10sq.m for each additional bedroom. Subject to the home office being used as a potential bedroom the development would require a total of 134sq.m of amenity space provision; 10sq.m greater than the requirements for the extant planning permission.
- 7.4.3 The two ground floor flats would be served by an amenity space provision 18.5sq.m and 17.7sq.m, however it is noted that this space would include unusable space between the rear of the dwelling and rear boundary. Taking this into consideration it is reasonable to state that the ground floor flats would be served by useable amenity space provision of 12sq.m each. A communal space of 26sq.m would also be provided. A total of 50sq.m amenity space provision would be provided. The proposed development would fail to provide the required amenity space provision; however the potential additional bedroom would only require an additional 10sq.m above that of the extant permission. It is not considered that the additional 10sq.m requirement would render the proposed amended scheme unacceptable and planning permission would not be refused on this basis.
- 7.4.4 Notwithstanding this, each unit would be able to access external amenity space provision. Furthermore, the site is within walking distance (approximately 150m) of The Green which provides open space of which the occupants could utilise and would be easily accessible to occupants. No objections are therefore raised to the proposed amenity space provision provided.
- 7.4.5 Five parking spaces would be provided to serve the proposed development providing four allocated spaces and one visitor space. Policy DM13 and Appendix 5 of the DMP LDD stipulates that two bedroom units should be served by 2 parking spaces. Three bedroom units should be served by 2.25 spaces (one allocated space). The scheme would therefore generate a parking requirement of 8.25 parking spaces. A shortfall of 3.25 parking spaces would therefore exist. The extant permission resulted in a shortfall of 3 parking spaces. It is not considered that a further shortfall of 0.25 spaces in comparison to the extant permission would render the scheme unacceptable in relation to parking provision.
- 7.4.6 Furthermore, there are no parking restrictions along this part of Windmill Drive and the site is considered to be within a sustainable location within walking distance of bus services and

the Croxley Green Underground Station. Taking into consideration the sustainable location of the site the parking provision proposed would not justify a reason for refusal.

7.5 Tilted Balance and Conclusion

- 7.5.1 The LPA cannot currently demonstrate a 5 year housing land supply, and therefore paragraph 11 of the NPPF is engaged. Paragraph 11 and footnote 7 clarifies that in the context of decision-taking "the policies which are most important for determining the application are out-of-date when the LPA cannot demonstrate a five year supply of deliverable housing sites". The most important policies for determining a housing application are considered to be Policies CP2 (Housing Supply) and Policy CP3 (Housing Mix and Density). Paragraph 11 continues, "Plans and decisions should apply a presumption in favour of sustainable development, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: a) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or b) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."
- 7.5.2 Therefore the tilted balance exercise requires planning permission to be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 7.5.3 The NPPF identifies that there are 3 dimensions to sustainable development: social, economic and environmental. The development would make a contribution towards making up the shortfall in housing in the district, which provides a social benefit. The development would also be making a contribution towards affordable housing. In terms of economic benefits, there would be limited short term benefits as a result of construction activities, and benefits resulting from the expenditure of new residents locally. In respect of environmental benefits, the development would provide a development which utilises renewable energy technology which all enhance its environmental credentials.
- 7.5.4 Notwithstanding the above, it is considered that development complies with paragraph 11 of the NPPF; however, if an alternative recommendation is reached, consideration will be required as to whether any identified adverse impacts would significantly and demonstrably outweigh the benefits of the development

8 **Recommendation**

- 8.1 That PLANNING PERMISSION BE GRANTED, subject to the following conditions and subject to the completion of a Section 106 Agreement:

C1 The development hereby permitted shall be begun before the 28 May 2023.

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: 001 Rev B, (SK) 001 Rev A, 002 REV B, 012 Rev E, 011 Rev A, 200 Rev C, 600 Rev E, 601 Rev H, 602 Rev K, 603 Rev F, 700 Rev F, 701 Rev F, 702 Rev C, 800 Rev D.

Reason: For the avoidance of doubt, to protect the amenities of the street scene, Croxley Green Conservation Area and neighbouring properties in the proper interests of planning in accordance with PSP2, CP1, CP2, CP3, CP4, CP6, CP8, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3, DM4, DM6, DM8, DM10, DM13, Appendix 2 and Appendix 5 of the Development Management Policies LDD (adopted July 2013), Policies CA1, HO1, HO2, HO3 and RE2 of the Croxley Green Neighbourhood Plan Referendum Version (adopted December 2018) and Croxley Green Conservation Area Appraisal (1996).

- C3 The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan and the approved details are to be implemented throughout the construction programme.

Reason: This condition is a pre commencement condition in the interests of highway safety and convenience in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

- C4 No development shall commence until full details (in the form of scaled plans and/or written specifications) have been submitted to, and approved in writing by the Local Planning Authority, to illustrate the following:

Indicative plan showing two VXOs of 5.4m (made up of four flat kerbs and two ramped kerbs) leading to the two double driveway areas. One VXO of 4.5m (made up of three flat kerbs and two ramped kerbs) leading to the proposed single car parking space.

Any proposed front boundary features (e.g. hedge, fence, wall) of a height of no greater than 0.6m to ensure that visibility levels are maximised on either side of the proposed vehicle access points.

Surface water drainage for the proposed parking areas / hardstanding to ensure that surface water is collected and disposed of on site.

The development shall thereafter be carried out in accordance with the approved details.

Reason: This condition is a pre commencement condition in the interests of highway safety and convenience in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

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

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

- C6 Before any building operations take place above ground level a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development.

All hard landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted.

All soft landscaping works required by the approved scheme shall be carried out before the end of the first planting and seeding season following first occupation of any part of the buildings or completion of the development, whichever is sooner.

If any existing tree shown to be retained, or the proposed soft landscaping, are removed, die, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (ie November to March inclusive).

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area. It is required to be a pre

commencement condition to enable the LPA to assess in full the trees to be removed and the replacement landscaping requirement before any works take place, and to ensure trees to be retained are protected before any works commence 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 DM6 of the Development Management Policies LDD (adopted July 2013).

- C7 Before any building operations take place above ground level, plans and details of the photovoltaic panels shall be submitted to and approved in writing by the Local Planning Authority. The approved details and energy saving measures detailed within the submitted Energy Statement shall be implemented prior to occupation of the development and permanently maintained thereafter.

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

- C8 Prior to the first occupation of the dwelling hereby approved, details of the proposed boundary treatments to be installed within the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall thereafter be installed prior to the first occupation of the dwelling hereby approved and maintained in accordance with the details approved by this condition.

Reason: To ensure that appropriate boundary treatments are proposed to safeguard the amenities of neighbouring properties and the character of the locality in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C9 Prior to the first occupation of the development hereby permitted the proposed access and on-site car parking shall be laid out, demarcated, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.

Reason: In the interests of highway safety and convenience in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM13 of the Development Management Policies LDD (adopted July 2013).

- C10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the elevations or roof slopes of the development hereby approved.

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

- C11 Before the first occupation of the building/extension hereby permitted the window(s) in the first floor rear elevation shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the 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).

- C12 The rooflights hereby permitted shall be positioned at a minimum internal cill height of 1.7m above the internal floor level.

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

8.2 Informatives:

- I1 With regard to implementing this permission, the applicant is advised as follows:

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

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

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 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 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.
- I3 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 applicant and/or their agent and the Local Planning Authority engaged in pre-application discussions which result in a

form of development that maintains/improves the economic, social and environmental conditions of the District.

- 14 Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website: www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx
- 15 Agreement with Highway Authority: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.
- 16 Bats are protected under domestic and European legislation where, in summary, it is an offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in a roost or deliberately disturb a bat in a way that would impair its ability to survive, breed or rear young, hibernate or migrate, or significantly affect its local distribution or abundance; damage or destroy a bat roost; possess or advertise/sell/exchange a bat; and intentionally or recklessly obstruct access to a bat roost.
- If bats are found all works must stop immediately and advice sought as to how to proceed from either of the following organisations:
- The UK Bat Helpline: 0845 1300 228
- Natural England: 0300 060 3900
- Herts & Middlesex Bat Group: www.hmbg.org.uk
- or an appropriately qualified and experienced ecologist.
- (As an alternative to proceeding with caution, the applicant may wish to commission an ecological consultant before works start to determine whether or not bats are present).
- 17 Any building works should not disturb any nesting birds. Should any active nest be discovered, all works should cease until all evidence of nesting activity has stopped, in order to avoid committing an offence.