

PLANNING COMMITTEE –15 JULY 2021

PART I - DELEGATED

8. **21/1113/FUL - Variation of Condition 2 (Plan Numbers) of application 18/0681/FUL (Roof alterations including part increase in ridge height; part two storey, part single storey rear extension; insertion of rear dormer and creation of lower ground floor level, and insertion of raised terrace and balcony to rear) to alter fenestration detail to align and changes to elevations and replacement of existing chimneys at 31 ASTONS ROAD, MOOR PARK, HA6 2LB (DCES)**

Parish: Batchworth Community Council
Expiry of Statutory Period: 24.06.2021
(Extension of Time: 16 July 2021)

Ward: Moor Park & Eastbury
Case Officer: Scott Volker

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: Called in by Batchworth Community Council unless Officers are minded to refuse for the reasons set out at 4.1.1 below.

1 Relevant Planning History

- 1.1 8/42/92 – Single storey front extension and two storey rear extension – Permitted 1992; implemented.
- 1.2 97/0171 - Two storey rear extension, installation of outdoor swimming pool and single storey summer house – Permitted April 1997; implemented.
- 1.3 00/01600/FUL - Erection of conservatory – Permitted February 2001; implemented.
- 1.4 18/0681/FUL – Roof alterations including part increase in ridge height; part two storey, part single storey rear extension; insertion of rear dormer and creation of lower ground floor level, and insertion of raised terrace and balcony – Permitted May 2018; commenced.
- 1.5 20/2823/FUL - Variation of Condition 2 (Plan Numbers) of planning permission 18/0681/FUL (Roof alterations including part increase in ridge height; part two storey, part single storey rear extension; insertion of rear dormer and creation of lower ground floor level, and insertion of raised terrace and balcony to rear) to alter external appearance of front and side elevations to include facing brick to match existing at ground floor and render finish with mock Tudor to replace hanging tiles at first floor; alteration to fenestration and replacement chimney – Refused March 2021 for the following reason:

R1 The proposed changes to the external appearance of the dwelling and replacement of the original chimneys would result in the loss of characterful architectural features to the host dwelling. The existing dwelling is a pre-1958 house and makes a positive contribution to the Moor Park Conservation Area. The changes would therefore architecturally and materially erode the original character of the dwelling to such an extent that its special interest is eroded to an unacceptable degree. The abovementioned changes therefore fail to preserve or enhance the character and appearance of the host dwelling and the Moor Park Conservation Area, thereby resulting in less than substantial harm to the heritage asset. However, no public benefits have been identified which outweigh the identified harm to the character and appearance of the Moor Park Conservation Area. The development therefore fails to comply with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1 and DM3 of the Development Management Policies LDD (adopted July 2013), the Moor Park Conservation Area Appraisal (2006) and the NPPF (February 2019).

2 Description of Application Site

- 2.1 The application site is located on the eastern side of Astons Road, within the Moor Park Conservation Area. Astons Road is a residential street characterised by large detached residential dwellings. The application site has a plot frontage of approximately 33 metres and depth of 120 metres. The land levels on the site vary, with land sloping down from the front to the rear of the site. The dwelling is set back from the highway by approximately 25 metres.
- 2.2 The site is currently occupied by a large detached residential dwellinghouse (a pre-1958 dwelling) which has been partially demolished following the commencement of works in relation to planning permission granted under reference 18/0681/FUL. The dwelling is a two-storey building with a mix of tile-hung and rendered exterior and a tiled pitched roof.
- 2.3 The application site backs onto 38 Russell Road however there is a separation distance of approximately 120 metres between the rear elevations of these two properties. There are separation distances ranging between 5-6 metres between the application dwelling and numbers 29 and 33 Astons Road located to the north and south respectively. Extensive hedging and vegetation of varying height line the shared boundaries between the application site and these neighbouring properties.
- 2.4 The frontage of the site includes a carriage driveway which can accommodate off-street parking for at least four cars. The remainder of the site frontage is soft landscaped. It is currently enclosed by construction hoardings.

3 Description of Proposed Development

- 3.1 Planning Permission was granted under application referenced 18/081/FUL for 'Roof alterations including part increase in ridge height; part two storey, part single storey rear extension; insertion of rear dormer and creation of lower ground floor level, and insertion of raised terrace and balcony to rear' with the development described in the officer report as:

'The main roof of the original dwelling would be increased in width by 0.7 metres and would retain the same height as the main ridge.

A two storey rear extension is proposed which would replace the existing conservatory. It would have maximum depth of 6.1 metres at ground floor level and 5.2 metres at first floor level. The extension would have a maximum width of 9.1 metres and would have a maximum height of 10.2 metres, sloping down to an eaves height to match the host dwelling.

A ground floor rear extension is proposed measuring a maximum depth of 1.8 metres (this includes a bay window feature located at the southern corner of the dwelling). This ground floor extension would have a flat roof with a maximum height of 3.4 metres. The flat roof section would form a first floor balcony accessed from the first floor landing.

It is also proposed to construct a basement level under the host dwelling which would extend out at lower ground level for a depth of 4.5 metres from the rear elevation of the main dwelling. The roof of the lower ground floor extension would form a terrace. Glazing is proposed within the rear elevation and five toughened glass rooflights are proposed within the roof. The basement would contain a swimming pool, plant room, gym, entertainment room and toilets.

Three flat roof dormer windows are proposed within the rear roof slopes of the dwelling. Two would be located within the main roof, and one would be located within the set down roof section. The dormers would hold the same dimensions; measuring 1.2 metres in width, 1.5 metres in height and project 1.3 metres from the roof slope.

Minor alterations are proposed to the front elevation of the dwelling including an extension to the width of the mono-pitched roof above the front entrance by 3 metres. Alterations are also proposed to the internal layout of the dwelling.

Amended plans were received during the application process which made the following changes:

- *The extension to the width of the ridge of the main dwelling has been reduced by 0.7 metres.*
- *The first floor balcony within the rear elevation has been reduced in width.*
- *The extent of glazing within the rear elevation serving the lower ground floor has been reduced.'*

3.2 This variation of condition application now seeks to alter fenestration detail to align and make changes to the front elevation and the replacement of the existing chimneys.

3.3 In comparison to the previously refused application 20/2823/FUL it is now proposed to retain the hung tile appearance at first floor level by replacing the existing hung tile with new like-for-like tiles. The alterations to the apertures and ordering of the fenestration within the principal elevation of the dwelling are still proposed and this would include the insertion of new leaded casement windows. In addition it is now proposed to replace both chimneys which extend upwards from the southern elevation for like-for-like replacements.

3.4 Amended plans were received during the course of the application process to provide transoms to the ground floor windows within the front elevation. For clarification, a transom is a transverse horizontal structural beam or bar, or a crosspiece separating a door/window from a window above it.

4 Consultation

4.1 Statutory Consultation

4.1.1 Moor Park 1958 Ltd. – [Objection]

The Directors of Moor Park (1958) Limited would again wish to raise the following STRONGEST POSSIBLE OBJECTIONS to the application proposals as follows: -

In our opinion the clear provisions contained within 3.1 (and 2.7) 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.

We regret that we have to again largely repeat what we have previously stated (on at least two or three occasions) in respect to this application property, but we clearly have no alternative as we recognise that each application at this important pre58 property has to be treated on its individual merits.

We would comment however that we find the repeated attempts to undermine this important property, and equally undermine the decisions of the Council in recently refusing a very similar application, extremely frustrating.

We also find it highly alarming, and totally irregular, that the Council's description of development this time round tells us that the scheme is to, inter alia, "**.....improve elevations...**".

Whether this scheme "improves" anything, we suggest, will be the outcome of the scrutiny of third parties, specialist Conservation advisors, the planning case officer(s) and the eventual decision takers, once all the material planning considerations are analysed and taken fully into account!!

Consequently, we look forward to seeing early evidence that this anomalous description, (potentially bordering an act of maladministration that appears to favourably prejudge the

appearance of the elevations), has been struck from all Council records as a matter of urgency.

Our detailed objections/comments on the current/latest application are as follows: -

When the planning application for the original, substantive scheme at this site (ref 18/0681/FUL) was under consideration, a wide range of material planning objections were raised both by the Council's Conservation Officer and ourselves.

Many of these objections were based on the unacceptable impact and material harm that would be caused by the range and scale of the submissions, upon the character and appearance of the application property, which is recognised as an important **pre58 dwelling** that, by virtue of its design, character and appearance, makes a positive contribution to the Moor Park Conservation Area.

Despite these objections, the Council's planning officer made a favourable recommendation to the Planning Committee (which was accepted). However, in our opinion, in light of another (latest) application, **it is now crucial to note what appears to the key premise/justification of that recommendation.**

This is clearly emphasised in the officer report where, on a number of occasions, the following points are made: -

".....the principal elevation of the pre58 building would not be significantly altered..." and

"...the principal elevation of the dwelling would remain intact...." and, in a form of concluding remark,

"...the significance of the existing building is recognised, however,...the proposed changes are not considered to significantly detract from the character and appearance of the dwelling to justify the refusal of planning permission".

The Council will also be aware of a scheme in 2020 to vary the approval (ref 20/2823/FUL) by materially altering the main front elevation (by seeking to change the finishing/facing materials and the majority of front windows) was refused. The reason for refusal stated:

"The proposed changes to the external appearance of the dwelling and replacement of the original chimneys would result in the loss of characterful architectural features to the host dwelling. The existing dwelling is a pre-1958 house and makes a positive contribution to the Moor Park Conservation Area. The changes would therefore architecturally and materially erode the original character of the dwelling to such an extent that its special interest is eroded to an unacceptable degree....."

At the outset, it is clear that the current application follows this recent refusal by the Council of a **very similar development** scheme, where a sound and well-founded material planning ground (containing several elements of opposition) was cited.

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 the previous planning refusal have been **fully** addressed and entirely overcome in regard to the adverse impact on the character and appearance of this pre58 dwelling and the Conservation Area before considering whether there are sufficient merits in this latest application to grant planning permission.

The latest "variation of condition" (the subject of this current application) has of course been "scaled back" a little since the refused scheme, but still proposes a complete, modern unification/standardisation in the size, design and scale of **11 of the 13 windows** in the primary front elevation of this important pre-58 property; one which has been repeatedly

referred to by the Council as making “.....a positive contribution to the Moor Park Conservation Area”.

By proposing such a scheme, we believe that the unique charm and appearance of the front elevation of this high-status pre-58 building will be undermined, damaged and visually harmed by the proposed insensitive and intrusive treatment of the primary fenestration, by virtue of: -

- i. changing the size, shape, glazing pattern and sill heights of all 5 (100%) of the ground floor front windows **and**
- ii. changing the size, shape, glazing pattern and sill heights of 6 of the 8 (75%) of the first-floor front windows.

It is our strongly held view that, when taking the full terms, scale and extent of the works in the current application, it will fundamentally and unacceptably alter the front/principal elevation. As a consequence, the character and appearance of the important pre58 dwelling in its Conservation Area setting, will effectively be completely destroyed.

This will result in material, demonstrable and irreversible harm to the dwelling and, as a consequence, the submitted scheme demonstrably fails to preserve or enhance the character and appearance of the designated Conservation Area, within which the existing pre-58 dwelling makes a positive contribution.

While we entirely accept of course that we cannot “turn back the clock” and prevent the approval of the 2018 application (nor are we trying to do so), it is crucial to recognise in planning terms that the current application is seeking to substantially **ADD** to the terms of that earlier permission, as opposed to it being purely an application for a simple “variation”.

In conclusion, we consider that the integrity, features, character and appearance of the original pre-58 house will neither be retained in any material way, nor respected or protected, all of which is in direct breach of the aims and objectives clearly set out under the provisions of paragraphs 2.7 and 3.1 of the MPCAA.

As a result, we wish to re-emphasise our strongest possible objections and ask that the application be refused. We believe that the essence of the reasons for refusal as encapsulated in the Council’s refusal of application ref 20/2823/FUL, summarise the situation perfectly and hence in our view will be entirely appropriate to be re-used in the context of the current scheme.

In addition, we trust that the proposed demolition and new re-building of a replacement prominent feature chimney will be subjected to the highest level of detailed scrutiny by a suitably qualified and independent structural engineer with experience of historic buildings, before there is any possible acceptance of the need for its demolition.

Finally, and for the avoidance of doubt, we shall again seek Member support to **call in** the application if the Council’s officers are minded to recommend the application favourably, contrary to the overwhelming circumstances that would support another refusal of the scheme.

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.

4.1.2 Batchworth Community Council – [Objection, CALL-IN]

Batchworth Community Council objects to this application and asks that it be called in for decision by the District Council’s planning committee unless the planning officers are minded to refuse.

This is done on the following basis - the extent of changes to the front elevation are unacceptable on this important pre-1958 dwelling in the Conservation Area.

4.1.3 Conservation Officer – [No Objection]

This application is for the Variation of Condition 2 (Plan Numbers) of application 18/0681/FUL (Roof alterations including part increase in ridge height; part two storey, part single storey rear extension; insertion of rear dormer and creation of lower ground floor level, and insertion of raised terrace and balcony to rear) to alter fenestration detail to align and improve elevations and replacement of existing chimneys.

The property is located in the Moor Park Conservation Area. The land upon which the Moor Park residential estate stands was historically part of the grounds attached to Moor Park Mansion. 31 Astons Road dates from the early period of the Moor Park Estate and therefore forms part of the original development of the Conservation Area. The property as existing is of architectural and aesthetic value and makes a positive contribution to the character and appearance of the Conservation Area.

A previous Variation of Condition was submitted under reference 20/2823/FUL. The proposal was to alter external appearance of front elevation to include facing brick to match existing at ground floor and render finish with mock Tudor to replace hanging tiles at first floor; alteration to fenestration and timber surround to windows. Previous advice stated:

I would be unable to support the proposal. The proposal would result in the loss of architectural features that make a positive contribution to the Conservation Area. The significance of the Conservation Area partly derives from the original properties constructed in the 1920s/1930s – 1950s and characteristic and original features. The hung tiles are a key feature of Arts and Crafts properties and the existing fenestration patterns is representative of the architectural style and age of the property. Replacing the existing hanging tiles with render and brick below as well as alterations to the apertures and ordering of the fenestration would architecturally and materially diminish the property, which currently makes a positive contribution to the Conservation Area.

It is now proposed to leave the hung tile in situ which has gone some way to address previous concerns, it will ensure the property retains some of its Arts and Crafts detailing which contribute to the Conservation Area's significance. It is still proposed to make alterations to the apertures and ordering of the fenestration. There is still a preference for the windows to remain as existing, however, the proposed alterations are not considered to be detrimental to the Conservation Area's significance. Some improvements could be made to the appearance of the ground floor windows to provide further articulation. The addition of a transom will work to break up the length of the windows.

It is noted that the chimney will be rebuilt to match exactly the previously existing chimney, this is considered appropriate.

4.1.4 National Grid: No response received.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 5

4.2.2 No of responses received: 1 objection, 0 letters of support

4.2.3 Site Notice: Posted – 06.05.2021 Expired – 27.05.2021

Press notice: Published - 07.05.2021 Expired - 28.05.2021

4.2.4 Summary of Responses:

- Impact on pre-1958 dwelling
- Historic façade should be maintained
- Loss of chimneys

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, DM8 and 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 was approved by the Executive Committee of the Council on the 27th November 2006 as a material planning consideration in the determination of planning applications and as a basis for developing initiatives to preserve and/or enhance the Moor Park Conservation Area. The Appraisal was subject to public consultation between July and October 2006 and highlights the special architectural and historic interest that justifies the designation and subsequent protection of the Conservation Area.

7 Planning Analysis

7.1 Principle of Development

7.1.1 Planning permission has previously been granted under application 18/0681/FUL for roof alterations including part increase in ridge height; part two storey, part single storey rear extension; insertion of rear dormer and creation of lower ground floor level, and insertion of raised terrace and balcony to rear. Works have commenced on site.

7.1.2 The principle of the above works has therefore been approved and this application will focus on the changes proposed. The current application proposed no increase in the width, depth or height of the dwelling. There has been no change to relevant planning policy or site circumstances which would affect the acceptability of the development in relation to those matters previously approved. The impact of the proposed alterations as set out in the 'Proposed Development' section are considered in the relevant analysis sections below.

7.1.3 Design & Impact on Street Scene & Conservation Area

7.1.4 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness. Policy CP12 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' and 'conserve and enhance natural and heritage assets'.

7.1.5 Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) seek to ensure that development does not lead to a gradual deterioration in the quality of the built environment. The Design Guidelines outlined at Appendix 2 states that extensions must not be excessively prominent in relation to adjacent properties or to the general street scene and should respect the character of the property/street scene particularly with regard to the roof form, positioning and style of windows and doors, and materials.

7.1.6 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. In addition, 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.

7.1.7 Paragraph 130 of the NPPF states that Local Planning Authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

7.1.8 The application site contains a pre-1958 dwelling; the Appraisal states that the Council will give a high priority to retaining buildings which make a positive contribution to the character and appearance of the Conservation Area. The Conservation Area Appraisal comments

that as a guide, the Council will seek the retention of buildings on the estate erected up to 1958 when the original estate company was wound up.

- 7.1.9 This application is a resubmission following the refusal of an earlier application 20/2823/FUL. In their comments for this refused application the Conservation Officer considered that the changes resulted in the loss of the architectural features that make a positive contribution to the Conservation Area. The previous application sought to replace the hung tiles with render and brick below as well as alterations to the apertures and ordering of the fenestration. It was considered that such changes would architecturally and materially diminish the property, which currently makes a positive contribution to the Conservation Area and thus was unable to support the proposal.
- 7.1.10 This current application now seeks to replace the existing hung tiles ensuring that the property retains some of its Arts and Crafts detailing which contributes to the Conservation Area's significance and was viewed positively by the Conservation Officer. As per application 20/2823/FUL it is proposed to make alterations to the apertures and ordering of the fenestration detailing contained within the principal elevation. There was a preference by the Conservation Officer for the windows to remain as existing, however, they considered the proposed alterations were not detrimental to the Conservation Area's significance. However, as part of the application process transoms have been added to the ground floor windows to break up the length of the windows. There is no objection to the proposed design of the new leaded casement windows.
- 7.1.11 The proposal would result in the loss of the two existing chimneys located in the southern elevation. However, unlike the previous refused scheme, the chimneys would be rebuilt to match exactly the previous chimneys. This is considered to be acceptable by the Conservation Officer and preserves the character of the dwelling.
- 7.1.12 Whilst it is noted that 20/2382/FUL was refused because the changes were considered to diminish the quality of the original approved scheme and fail to preserve or enhance the character and appearance of the Conservation Area, the current application with the additional amendments has satisfactorily overcome the previous reason for refusal and the Conservation Officer has raised no objection to the proposed development.
- 7.1.13 In conclusion, it is not considered that the proposed development would result in any significant adverse impact on the character or appearance of the host dwelling, street scene or conservation area and the development would be acceptable in this regard in accordance with Policies CP1 and CP12 of the Core Strategy, Policies DM1, DM3 and Appendix 2 of the DMP LDD and the Moor Park Conservation Area Appraisal (2006).

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 the loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.
- 7.2.2 The proposed alterations to the appearance of the dwelling would not result in an increase in the bulk and massing of the building so as to cause any impact on the residential amenities of surrounding neighbouring properties in terms of loss of light or become overbearing. The alterations to the fenestration includes remodelling of the window openings within the principal elevation however the fenestration would continue to primarily overlook the application site frontage and would not result in any unacceptable overlooking towards 26 Astons Road.

7.2.3 As such, it is not considered that the proposed development would result in any significant adverse impact on neighbouring dwellings and the development would be acceptable in accordance with Policy CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

7.3 Trees and Landscaping

7.3.1 The proposed development would not result in the loss of any existing trees on the site.

7.4 Parking Provision

7.4.1 The proposed development would not result in the loss of any existing parking provision or the requirement for additional provision within the site.

7.5 Conditions

7.5.1 It is considered necessary to repeat all conditions attached to planning permission 18/0681/FUL to any planning permission granted under this application. Condition 3 has been updated in accordance with the details agreed under application 20/0701/DIS. A condition has been attached in respect of bat boxes in light of the recommendations put forward in the Emergence and Activity Surveys prepared by Arbtech Consulting Ltd submitted as part of application 20/0701/DIS pursuant of condition 4 of application 18/0681/FUL.

8 **Recommendation**

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

C1 The development hereby permitted shall be carried out in accordance with the following approved plans: TS17-080M\1 1 of 2, TS17-080M\2 2 of 2, TS17-080M\3 1 of 4, TS17-080M\4 2 of 4, TS17-080M\5 3 of 4, TS17-080M\6 4 of 4, TS17-080M\7 1 of 1, 5480/PL/LP, 5480-PL01, 5480-PL02 REV-C, 5480-PL03 REV-B, 5480-PL05 REV-B and 5480-PRPL 06 REV-H.

Reason: For the avoidance of doubt and in the proper interests of planning and to safeguard the character and appearance of the Conservation Area in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6, DM8, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Moor Park Conservation Area Appraisal (2006).

C2 Before any further building operations above ground level hereby permitted are commenced, samples and details of the proposed tile hanging and materials to be used in the construction of the replacement chimneys 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 ensure that the external appearance of the dwelling is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C3 Before any further building operations above ground level hereby permitted are commenced, two bat boxes shall be erected on the retained trees on site in accordance with section 4.2 of the submitted Emergence and Activity Surveys prepared by Arbtech Consulting Ltd. (dated 08/08/2018) as approved under application 20/0701/DIS. These bat boxes shall consist of two of the following Schwegler 1FF Bat Boxes or Chillon Woodstone Bat Boxes shall be installed at least 3m off of the ground and facing in a southerly direction. Bat boxes shall be retained thereafter.

Reason: To maintain wildlife habitat 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).

- C4 Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

Reason: To ensure that the external appearance of the dwelling is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C5 The development shall be implemented in accordance with the Construction Method Statement approved under application 20/0701/DIS.

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

- C6 Prior to occupation of the development hereby permitted, details of screening to a height of 1.8m as measured from the surface of the raised terrace to be erected to the flanks of the raised terrace shall be submitted to and approved in writing by the Local Planning Authority. The screening shall be erected prior to occupation in accordance with the approved details, and maintained as such thereafter.

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

8.2 **Informatives:**

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

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

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

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. 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 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 14 Applicants are advised that paragraph 3.8 of the approved Moor Park Conservation Area Appraisal (2006) specifically seeks to protect underground water courses that may be impacted as a result of the construction (or extension) of basements within the Conservation Area. Consequently the applicant is requested to have careful regard to this matter and especially, in the carrying out of the development, to ensure that:-
 - (i) no surface water flooding will occur as a result of the basement construction and
 - (ii) (ii) that there will be no material harm to any underground water course(s) in the vicinity of the site as a result of the basement construction.