

PLANNING COMMITTEE – 23 SEPTEMBER 2021

PART I - DELEGATED

9. **21/1586/FUL – Demolition of the existing dwelling and construction of a replacement dwelling with associated hard and soft landscaping at 29 BEDFORD ROAD, MOOR PARK, HA6 2AY**

Parish: Batchworth Community Council Ward: Moor Park & Eastbury
Expiry of Statutory Period: 31.08.2021 Case Officer: Tom Norris
(Extension of time agreed until 30.09.2021)

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: A Councillor resides within the neighbour consultation area

1 **Relevant Planning History**

- 1.1 18/1072/FUL - Demolition of the existing dwelling and construction of a replacement dwelling with associated hard and soft landscaping - 23.08.2018 – Permitted (not implemented, expires 17 September 2021)
- 1.2 18/0655/NMA – Non material amendment to planning permission 17/1836/FUL: Alterations to internal layout, fenestration and addition of bricked boundary wall with pillars and metal gates – 30.04.2018 – Refused
- 1.3 17/1836/FUL – First floor and two storey rear extensions, two storey front gable projection, extension to roof and alterations to front elevation and fenestration – 27.10.2017 – Permitted (not implemented)
- 1.4 17/0633/FUL – First floor and two storey rear extensions, two storey front gable projection, extension to roof and alterations to front elevation and fenestration – 11.07.2017 – Withdrawn
- 1.5 8/491/88 – Replacement House – 18.08.1988 – Permitted
- 1.6 W/1319/66 – House and Garage – 25.07.1966 – Permitted

2 **Description of Application Site**

- 2.1 The application site contains a large two storey detached dwelling located on the east side of Bedford Road within the Moor Park Conservation Area. The dwelling dates from c.1988, and was a replacement dwelling to the previous which dated from c.1966. The site is rectangular in shape, measuring 2,255sqm in area and the application dwelling is set back from Bedford Road by approximately 18m.
- 2.2 The application dwelling has an intersecting hipped roof form, white rendered exterior with black timber beams and tiled roof. The front elevation has a gable projection to the centre at two storey level, and the rear elevation has a two storey central gable projection with two balconies at first floor to the rear. The frontage consists of a carriage driveway which provides parking and is enclosed by vegetation along the side boundaries.
- 2.3 To the rear the dwelling has a single storey projection which measures 19.7m in depth, located closest to the boundary with 27 Bedford Road. The single storey element measures 8m in width and has a pitched roof with a maximum height of 5.4m before sloping down to an eaves height of 3.2m. This single storey element of the building contains a swimming pool, living room, sauna and WC.

- 2.4 To the rear the site has an area of concrete paving slabs that winds around the south flank and rear elevation of the dwelling and follows the line down to the rear wall of the single storey element of the building before leading to a rear amenity space comprising an area laid to lawn and a small pond which is enclosed by high hedging.
- 2.5 27 Bedford Road to the north of the application site is a detached dwelling on a slightly lower land level to the application dwelling and has recently been demolished and re-built (11/1346/FUL). 31 Bedford Road is to the south of the application dwelling, is on a similar land level to the application dwelling and has recently been demolished and re-built (13/1963/FUL).

3 Description of Proposed Development

- 3.1 Full planning permission is sought for the demolition of the existing dwelling and the construction of a replacement dwelling with associated hard and soft landscaping. This planning application is a submission to renew a previously granted development permitted under application reference no.18/1072/FUL. This current application does not propose any further changes from that which has previously been granted permission.
- 3.2 The proposed replacement dwelling would be two-storey with loft accommodation and would have hipped roof forms with an overall height of 10.1m and an eaves height of 5.5m. The dwelling would have a principal width of 19.1m and a principal depth of 9.7m. There would be three, two-storey rear projections from the principal rear elevation which would have total depth of 8.4m and would be set in 1.0m from the principal flank elevations and set down from the main ridge of the dwelling. There would be a single storey rear projection which would be built in line with the northern flank elevation and would have a total depth of 15.1m and a width of 8.0m. The single storey rear projection would have a hipped roof form and would have an eaves height of 3.0m and an overall height of 4.5m. The proposed dwelling would include a two-storey front projection with an eaves height of 5.5m and an overall height of 7.5 which would include a pillared entrance. There would be two rooflights within the principal rear roofslope and within the roofslopes of the rear projections. There would be two external terraced areas at the rear at first floor level.
- 3.3 Alterations are proposed to the hardstanding to the front of the dwelling including the realignment of the carriage driveway and the installation of a low level circular pond feature surrounded by planting. In the rear garden an area of hard surfacing is proposed including a terrace with a depth of 3.6m with steps down to an upper lawn and the single storey rear projection would have a 1.8m wide path around it.
- 3.4 The dwelling would be finished in external materials including red facing brick with stone detailing, dark roof tiles and aluminium fenestration.

4 Consultation

4.1 Statutory Consultation

4.1.1 Batchworth Community Council:

"Batchworth Community Council has no comment to make on this application."

4.1.2 Conservation Officer: [Objection]

"This application is for demolition of the existing dwelling and construction of a replacement dwelling with associated hard and soft landscaping.

The property is located in the Moor Park Conservation Area. The Moor Park residential estate is constructed on the land of Moor Park Mansion. The area was laid out in the early to mid-twentieth century. The special interest of the area derives from the 1920s/1930s and 1950s properties, many of which retain their original features. Number 29 was constructed

in the 1980s, therefore does not form part of the area's original development. Nevertheless, number 29 presents a form, scale and appearance that is sympathetic to the character and appearance of the Moor Park Conservation Area. Number 29 is two-storeys, rendered with half timbering, leaded lights, prominent chimney with an asymmetrical form, all of which make reference to the key Arts and Crafts character of the Moor Park Conservation Area.

Notwithstanding this, it is understood that an extant permission (ref: 18/1072/FUL) for the demolition and replacement of the existing dwelling was approved in 2018 which forms the baseline of this assessment.

While the principle of demolition has been accepted, the proposed replacement dwelling would not be supported as it considered to be inappropriate development by virtue of its form and appearance. As per paragraph 197c of the NPPF, new development should make a positive contribution to local character and distinctiveness, which this proposal would not. The proposal would result in overly formal dwelling, with a symmetrical frontage, large central pediment supported by columns, stone balustrading to the first floor, crown roof extension to the rear, complex assemblage of rear projections, all of which make no architectural reference to the special interest of the Conservation Area.

Previous built heritage advice also raised objections to the previous proposal stating: I consider that the design is still inappropriate, and the scale and bulk of the proposed extension will have an adverse impact on the character and appearance of the host dwelling, street scene and views within the Conservation Area, and as such the proposal fails to meet the criteria set out in policy DM3.

The Moor Park Conservation Area is characterised by Arts and Crafts forms and generally less visually dominant houses. The overwhelmingly classical form of this design, with its formal and dominant front portico and doric columns, balustrading and large roof, is therefore inappropriate and out of place in this context.

Given there have been no amendments to the proposal, all previous advice remains relevant.

While the existing property does not form part of the original development it has design features which are sympathetic to the Conservation Area, preserving the areas significance. I recommend more thought and consideration is given to the significance of the Conservation Area as this would result in a more sympathetic scheme. Efforts should be made to promote good design and to enhance or better reveal the heritage asset's significance as per paragraph 206 of the NPPF.

The proposals would, in my opinion, fail to preserve or enhance the character and appearance of the Conservation Area, contrary to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. With regards to the National Planning Policy Framework the level of harm is considered to be 'less than substantial' as per paragraph 202. 'Great weight' should be given to the heritage asset's conservation as per paragraph 199."

4.1.3 National Grid: [No objection]

"National Grid has no objections to the above proposal which is in close proximity to a High Voltage Transmission Overhead Line –Overhead Electricity Line, Electricity Tower, Low Pressure Gas Mains, Medium Pressure Gas Mains, Local High Pressure Gas Mains, Above Ground Gas Installation."

4.1.4 Cadent Gas: [No objection]

Affected Apparatus

The apparatus that has been identified as being in the vicinity of your proposed works is:

High or Intermediate pressure (above 2 bar) Gas Pipelines and associated equipment

Electricity Transmission overhead lines

As your proposal is in proximity to apparatus, we have referred your enquiry / consultation to the following department(s) for further assessment:

Cadent Pipelines Team

We request that you take no further action with regards to your proposal until you hear from the above. We will contact you within 28 working days from the date of this response. Please contact us if you have not had a response within this timeframe.

Requirements

BEFORE carrying out any work you must:

Ensure that no works are undertaken in the vicinity of our gas pipelines and that no heavy plant, machinery or vehicles cross the route of the pipeline until detailed consultation has taken place.

Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.

Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or

National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.

Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 -

'Avoiding Danger from Underground Services' and GS6 – 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>

In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken."

4.1.5 Moor Park (1958) Ltd: Made the following comments

"The Directors of Moor Park (1958) Limited would wish to raise the following comments on the application proposals.

As far as we can tell from the submitted drawings and application details, this current application is proposed as a straight renewal of the extant planning permission granted by the Council under ref 18/1072/FUL dated 17 September 2018.

As a result, in light of the fact that there have been:-

(i) no change in the circumstances of the site,

(ii) no changes in the nature of the application and

(iii) no changes to the planning policies governing the site/area, we recognise that there is little prospect, having regard to current planning procedures, other than for the Council to issue a renewal of the planning permission.

We do however note with concern that a new drawing (ref 5447 – V2 – PL015) has been submitted with this latest/current application that does not appear in the list of approved drawings in Condition 2 in the 2018 decision.

Consequently, we would formally request that the Council checks the details of this drawing very closely against the 2018 approved drawings to ensure there is no likelihood of any new aspects of the scheme being introduced by some means and/or that the drawings will not result in any anomalies or confusion/lack of clarity over the extent and nature of the approved scheme.

Furthermore, we consider it entirely appropriate that all previous planning conditions and informatives (as applied in 2018) should be re-applied to the current application.

That apart, we wish to make it clear that we still remain of the view that the scheme, even in its amended form from 2018, is still very far from acceptable from our point of view, having regard to the provisions set out in the MPCAA.

Consequently, for the record, we have decided to re-submit our representations to you; both in terms of our original 2018 objections (see attached Appendix A) and also the wording from our letter that was sent in response to the 2018 amended plans (see attached Appendix B).

We trust the above response is of assistance to you.”

4.2 Public/Neighbour Consultation

4.2.1 Neighbours consulted: 8

4.2.2 Responses received: 0

4.2.3 Site Notice posted 23.07.2021, expired 13.08.2021

4.2.4 Press notice published 16.07.2021, expired 06.08.2021

5 Reason for Delay

5.1 Committee cycle.

6 Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

In July 2021 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 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 of the adopted Core Strategy include CP1, 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 of the adopted Development Management Policies LDD include DM1, DM3, DM6, DM12, 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 been previously granted at the application site for an identical form of development (18/1072/FUL). This application is therefore to renew this approved permission. A similar proposal was also granted permission under application reference no. 17/1836/FUL.
- 7.1.2 Policy DM3 of the Development Management Policies Document states that, within Conservation Areas permission for development involving demolition or substantial demolition will only be granted if it can be demonstrated that the structure to be demolished makes no material contribution to the special character or appearance of the area.
- 7.1.3 The existing dwelling dates from 1988 and was a replacement dwelling to the previous which was dated from 1966. One of the overriding aims of the Moor Park Conservation Area Appraisal is the preservation of those dwellings which were constructed prior to 1958 and make a positive contribution to the Conservation Area. The existing dwelling is of later twentieth century construction and makes a neutral contribution to the Conservation Area. Given these considerations, it is considered that the proposed development satisfies the

criteria set out in Policy DM3 and the principle of demolishing the dwelling is considered acceptable subject to an acceptable replacement.

7.2 Impact on Character and Appearance of Conservation Area

- 7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy 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.
- 7.2.2 Policy DM1 and Appendix 2 of the Development Management Policies LDD (DMP LDD) (adopted July 2013) set out that development should not have a significant impact on the visual amenities of the area. The Design Criteria at Appendix 2 states that the first floor element of development should be set in by a minimum of 1.2 metres to prevent a terracing effect within the street scene. Increases to ridge height will be assessed on their own merits at the time of a planning application. Where roof forms are of a uniform style/height and appearance, it is unlikely that an increase in ridge height will be supported by the Council.
- 7.2.3 The site is located within the Moor Park Conservation Area therefore 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.
- 7.2.4 It was considered in granting planning permission for 18/1072/FUL, that the proposed development would be acceptable in terms of its impact upon the character and appearance of the Moor Park Conservation Area. The Officer's report noted in this case that a near identical form of development for extensions to the existing dwelling had previously been granted under application reference 17/1836/FUL. During the course of the previously granted application for the demolition, which was determined at Planning Committee, amendments were made to the scheme. These amendments included a reduction in the area of hardstanding to the front so that, although it would be reconfigured, there was no net increase from the existing. The proposal to include an ornamental fountain feature within the front was also omitted from the previous proposal to be only a pond feature. This application submission includes the amended drawings and does not reintroduce any further elements that were deemed unacceptable previously. No material considerations have emerged since the previous approval that would alter this consideration.
- 7.2.5 It is acknowledged that the Conservation Officer has raised an objection to the proposed replacement dwelling. Whilst the representations of the Conservation Officer are noted, it is factored into consideration that planning permission was granted under the same development plan. It is considered that the LPA would not be justified in coming to a different view as part of this submission where the application is being assessed against the same policies including the Moor Park Appraisal as it was previously.
- 7.2.6 In summary, it is not considered that the proposed development would result in an adverse impact on the character or appearance of the host dwelling, street scene or conservation area and the proposal would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy, Policies DM1, DM3 and Appendix 2 of the Development Management Policies document.

7.3 Impact on amenity of neighbours

- 7.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Policy DM1 and Appendix 2 of the Development Management Policies 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. Two-storey development should not intrude the 45 degree splay line measured from a point on the shared boundary level with the rear wall of the dwelling.

7.3.2 It was considered in granting planning permission for 18/1072/FUL, that the proposed development would be acceptable in terms of its impact upon the residential amenity of surrounding neighbours. It was considered as part of the previous approval that the proposed development would not lead to a detrimental loss of light or overbearing impact to any neighbour. It was also considered that the proposal would not result in overlooking to the detriment of any neighbour. No material considerations have emerged since the previous approval that would alter this consideration.

7.3.3 In summary, the proposed development is acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

7.4 Highways & Parking

7.4.1 Policy CP10 of the Core Strategy requires development to demonstrate that it will provide a safe and adequate means of access. Policy DM13 and Appendix 5 of the Development Management Policies LDD advises on off street car parking requirements. Appendix 5 sets out that a 4 or more bedroom dwelling should provide three parking spaces.

7.4.2 The application dwelling would retain a driveway large enough to accommodate at least three parking spaces which would meet the adopted standards. The proposal is therefore considered to be acceptable in terms of parking and would accord with Policy CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies document (adopted July 2013).

7.5 Rear Garden Amenity Space

7.5.1 Policy CP12 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 Appendix 2 of the Development Management Policies Document states that 'amenity space must be provided within the curtilage of all new residential developments.'

7.5.2 The application site would have a rear amenity space of over 1100 sqm following the implementation of the proposed extensions. It is therefore considered that there will be adequate amenity space in accordance with Appendix 2.

7.6 Trees & Landscape

7.6.1 Policy CP12 of the Core Strategy expects development proposals to 'have regard to the character, amenities and quality of an area', to 'conserve and enhance natural and heritage assets' and to 'ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features.' Policy DM6 of the Development Management Policies LDD advises that 'development proposals should demonstrate that existing trees, hedgerows and woodlands will be safeguarded and managed during and after development in accordance with the relevant British Standard.

7.6.2 It was considered in granting planning permission for 18/1072/FUL, that the proposed development would be acceptable in terms of its impact upon trees. Amended plans were received during the course of the previous application which have been submitted as part of this application. The same tree conditions will be included on the grant of any planning permission as were included on the grant of 18/1072/FUL. The proposed development is therefore considered to be acceptable in this regard.

7.7 Refuse & Recycling

- 7.7.1 Core Strategy Policy CP1 states that development should provide opportunities for recycling wherever possible. Policy DM10 of the Development Management Policies document sets out that adequate provision for the storage and recycling of waste should be incorporated into proposals and that new development will only be supported where the siting or design of waste/recycling areas would not result in any adverse impact to residential or workplace amenities, where waste/recycling areas can be easily accessed (and moved) by occupiers and waste operatives and where there would be no obstruction to pedestrian, cyclist or driver sight lines.
- 7.7.2 The existing dwelling is located within a residential area and the collection of refuse and recycling bins adjacent to the highway would be considered acceptable in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).
- 7.8 Sustainability
- 7.8.1 Policy DM4 of the Development Management Policies document states that applications for new residential development will be required to demonstrate that the development will meet a zero carbon standard (as defined by central government). However the government are not pursuing zero carbon at this time and therefore the requirements of DM4 to achieve a 5% saving in CO2 over 2013 Building Regulations Part L would continue to apply.
- 7.8.2 The application is accompanied by an energy statement prepared by Clear Sky Sustainable Homes Ltd. The report confirms that a range of energy efficiency measures are to be incorporated into the building fabric in order to reduce energy demand and confirms that the proposed scheme is to secure at least a 5% reduction in CO2 emissions below the baseline emission rate based on Part L 2013 edition.
- 7.9 CIL
- 7.9.1 Core Strategy Policy CP8 requires development to make adequate contribution to infrastructure and services. The Three Rivers Community Infrastructure Levy (CIL) came into force on 1 April 2015. The levy applies to new dwellings and development comprising 100sq. metres or more of floorspace (net gain), including residential extensions, although exemptions/relief can be sought for self-build developments and affordable housing. The Charging Schedule sets out that the application site is within 'Area A' within which there is a charge of £180 per sq. metre of residential development.
- 7.10 Biodiversity
- 7.10.1 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. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.
- 7.10.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application. A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected as a result of the application.
- 7.10.3 Hertfordshire Ecology were consulted as part of the previous application (18/1072/FUL) and considered that the property is in very good condition with well-sealed roof and ridge tiles, soffits, mortar, brickwork, windows and doors and therefore sub-optimal conditions for bats

to use for roosting. As such they do not consider in this instance that ecological surveys are necessary. It is considered that the property remains in a similar condition since this application and has not fallen into any state of disrepair. As bats are known to be roosting in the area, an informative will be included on any permission advising a precautionary approach to works is taken.

7.11 Other Matters

7.11.1 The conditions attached to this permission reflect those that were attached and agreed following the grant of 18/1072/FUL at September 2018 Planning Committee.

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: TS16-450L/1, NL18.17 REV A, NL18.05 REV M, NL18.04 REV M, NL18.02 REV M, NL18.01 REV M, 5447-V2 PL010, 5447-V2 PL008, 5447-V2 PL007, 5447-V2 PL006, 5447-V2 PL005 REV A, 5447-V2 PL004 REV A, 5447-V2 PL003 REV A, 5447-V2 PL002, 5447-V2 PL001-SITE REV D, 5447-PL-LP

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).

C3 Before above ground building operations 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 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).

C4 Before the first occupation of the dwelling hereby permitted the flank windows above ground level 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 windows are installed. The windows 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).

C5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the flank elevations of the dwelling 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).

- C6 The development hereby permitted shall be implemented in accordance with the details of the submitted Energy Statement. The approved details shall be implemented prior to the first use 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 make as full a contribution to sustainable development principles as possible.

- C7 Prior to the first occupation of the development hereby permitted, details of screening to a height of 1.8m as measured from the surface of the rear balconies to be erected to the flanks of the rear balconies shall be submitted to and approved in writing by the Local Planning Authority. The screening shall be erected prior to first 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).

- C8 Notwithstanding the submitted details, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, 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 in accordance with a programme to be agreed before development commences and shall be maintained including the replacement of any trees or plants which die are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species, for a period for five years from the date of the approved scheme was completed.

Reason: This condition is a pre commencement condition in the interests of visual amenity 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).

- C9 No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

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

- C10 Immediately following the implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification) no development within the following Classes of Schedule 2 of the Order shall take place.

Part 1

Class A - enlargement, improvement or other alteration to the dwelling

Class C - other alterations to the roof

Class D - porches

Class E - provision of any building or enclosure

No development of any of the above classes shall be constructed or placed on any part of the land subject of this permission.

Reason: To ensure adequate planning control over further development having regard to the limitations of the site and neighbouring properties and in the interests of the visual amenities of the site and the 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) and the Moor Park Conservation Area Appraisal (2006).

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

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

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

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 14 Due to the presence of National Grid apparatus in proximity to the application site, the Applicant should contact National Grid before any works are carried out to ensure National Grid apparatus is not affected by any of the proposed works. Further 'Essential Guidance' can be found on the National Grid website at www.nationalgrid.com or by contacting National Grid on 0800688588.
- 15 Bats are protected under domestic and European legislation where, in summary, it is an offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in a roost or deliberately disturb a bat in a way that would impair its ability to survive, breed or rear young, hibernate or migrate, or significantly affect its local distribution or abundance; damage or destroy a bat roost; possess or advertise/sell/exchange a bat; and intentionally or recklessly obstruct access to a bat roost.

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

The UK Bat Helpline: 0845 1300 228

Natural England: 0300 060 3900

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

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).