

PLANNING COMMITTEE – 21 OCTOBER 2021

PART I - DELEGATED

**9. 21/1081/FUL - Construction of new entrance gates and boundary wall to the front and fencing to the flank boundaries at DOVETAIL COTTAGE, 21 CHESTNUT AVENUE, RICKMANSWORTH, WD3 4HA
(DCES)**

Parish: Chorleywood Parish Council
Expiry of Statutory Period: 11.08.2021
Extension of time: 28.10.2021

Ward: Chorleywood North And Sarratt
Case Officer: David Heighton

Recommendation: That PLANNING PERMISSION be granted

Reason for consideration by the Committee: This application was called in by Chorleywood Parish Council on the grounds that the proposed development is out of keeping with the streetscene and that the amendments do not resolve the previous objection.

1 Relevant Planning History

- 1.1 10/2332/FUL - Demolition of existing garage and erection of two storey side and rear extension and single storey rear extension including pergola and extension to patio area - Permitted - 31.01.2011
- 1.2 12/0257/FUL - Demolition of existing garage and erection of two storey side and rear extension and single storey rear extension including pergola and extension to patio area; alterations to driveway and landscaping to frontage - Permitted - 23.04.2012
- 1.3 13/0385/FUL - Demolition of existing building and erection of a new 5 bedroom detached dwellinghouse with an integral single garage and ancillary external works - PER - 14.05.2013
- 1.4 13/1360/FUL - Resubmission of 13/0385/FUL: Demolition of existing building and erection of a new 5 bedroom detached dwellinghouse with an integral single garage and ancillary external works including alterations to front elevation and roof form of rear projection, changes to fenestration and habitable accommodation at second floor level - Permitted - 17.09.2013
- 1.5 13/2345/RSP - Part Retrospective: Demolition of existing dwelling and erection of a new 6 bedroom two-storey detached dwelling with additional accommodation at second floor and basement levels, Juliet balcony to rear, integral single garage and ancillary external works (Amendment to planning permission 13/1360/FUL) - Permitted - 28.02.2014 - Implemented.
- 1.6 14/1564/FUL - Provide additional vehicular access and alterations to drive to create carriage drive – Refused - 14.10.2014

R1: The proposed development, by virtue of its siting would result in the loss of a prominent protected tree which contributes to the visual amenities and sylvan quality of the street scene. The need and benefits of the development would not outweigh the loss of the protected Silver Birch. The proposed development would therefore be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM6 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and the principles of the National Planning Policy Framework.

2 Description of Application Site

- 2.1 The application site is rectangular in shape and contains a two storey detached dwelling located on the south eastern side of Chestnut Avenue, Rickmansworth. The streetscene generally consists of detached dwellings of varied architectural design.
- 2.2 The dwelling has a pitched roof form including three hipped roofed two storey front projections of varying depths. The frontage contains a driveway which leads to an area of hardstanding which could accommodate at least five vehicles with the remainder of the frontage laid to lawn with a number of individually protected trees within and neighbouring the property. These trees are subject to TPO: Three Rivers (Chestnut Avenue, Chorleywood) Tree Preservation Order 2010, (TPO738). Along the front boundary there is a low stepped bricked wall. Works had commenced to erect close boarded fencing along both flank boundaries to enclose the frontage but they have subsequently ceased.
- 2.3 To the rear is a two storey rear projection with a flat roof and a raised terrace adjacent to the rear of the dwelling with an area laid to lawn beyond. The large landscaped rear garden is screened by close boarded fencing and mature trees and vegetation.

3 Description of Proposed Development

- 3.1 This application seeks full planning permission for the construction of new entrance gates and boundary wall to the front and fencing to the flank boundaries.
- 3.2 The proposed front boundary wall would replace the existing low level wall and would have a maximum total height of 0.6m extending across the entire plot width. At various points a number of brick piers would be built which would have a maximum height of 1.2m. The boundary treatment would be stepped in height to follow the existing land level gradient. Between two piers and in front of the existing dropped kerb entrance, iron railing double gates are proposed (opening inwards), set back approximately 2.2m from the front boundary (5.5m with the road) with a width of 3.8m and height of 1.1m. The existing hedging adjacent to the front boundary would be retained.
- 3.3 Close-bordered timber fencing 1m in height is also proposed to the front northern and southern flank boundaries, which would extend the full depth of the application site frontage. It is also proposed to introduce soft landscaping in the form of 1.5m high hedging behind the fencing.
- 3.4 Amended plans were received during the course of the application, which reduced the height of the proposed front boundary wall and piers, removed railings from in-between the gate piers, amended the style and reduced the height of the proposed gates and reduced the height of the proposed flank boundary treatment with the addition of soft landscaping.

4 Consultation

- 4.1 Statutory Consultation
- 4.1.1 Chorleywood Parish Council: [Objection]

The Committee had Concerns with this application on the following grounds:-

The construction is inconsistent with the street scene.

Re-consultation, following amended plans:

The Committee had Objections to this application on the following grounds and wish to CALL IN, unless the Officer are minded to refuse planning permission.

Should the plans or supporting information be amended by the Applicant, please advise the Parish Council so the comments can be updated to reflect the amended.

- *Out of keeping with the street scene*

- *The amendments do not cover our previous objections.*

4.1.2 National Grid: [No comments received, any comments received will be verbally updated]

4.1.3 Landscape Officer: [No Objection]

Initial comments: –

The proposal to construct a low wall with associated pillars and gates will impact negatively on the two trees at this location, T01 mature oak and T02 mature birch. Both trees are subject to Tree Preservation Order, ref. 738.

The BS5837 (2012) 'Trees in relation to Design, Demolition and Construction' report provided suggests that in relation to T02, the mature birch, the shallow brick planter to the property frontage may be used as a base for the wall and the pillar to the south western end. It is difficult to see how practical this would be from a constructional point of view, and whether it would provide an adequate foundation for the proposed wall. No construction details have been provided to clarify this.

Of more concern is T01, the mature oak located immediately adjacent to the entrance. The proposal places a pillar and wall immediately beneath the crown spread of the tree, within the RPA. This equates to construction within approximately 1.5m of the tree stem, at which point structural roots are likely to be substantial. The report goes on to recommend trial excavations to establish the location of any roots, but this in itself may cause damage to roots. As tree roots often seek water in the form of condensate resulting from heating during the day and cooling during the night of asphalt or other hard surfacing, it is possible that tree roots have advantageously grown into the area earmarked for the curved wall.

It is likely that the proposals will impact the long-term health of the trees, particularly the oak.

Additional information received: Supplementary arboricultural report and investigation works

Revised comments: - *The supplementary tree report as provided has allayed my concerns with regard to the proposals at this location. No Objection.*

4.1.4 Highways Officer: [No Objection]

Amended Proposal – Decision

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/businesslicences/business-licences.aspx> or by telephoning 0300 1234047.

AN) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

Comments/Analysis

Development Proposals

The proposal is for the construction of new entrance gates that are inwards swinging and boundary wall to the front boundary at Dovetail Cottage, 21 Chestnut Avenue, Rickmansworth.

Site and Surroundings

Chestnut Avenue is a class U local access road subject to a 30mph speed limit and is maintainable at highway expense. In terms of sustainability, the closest bus stop is just over 350m away from the site and is served by the 103 bus leading to High Wycombe and Watford. Chorleywood train station is located around 2.4km from the location which links to Watford, Amersham, Chesham, Aylesbury and London Marylebone via Chiltern and Metropolitan lines. LTP4 promotes the use of sustainable transport methods, this is possible to encourage at this site.

Access and Parking

- Other examples of screening and front boundary treatments

5 Reason for Delay

- 5.1 Committee cycle, re-consultation of amended plans and submission of supplementary tree report.

6 Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

- 6.1.1 In July 2021 the revised 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 2021 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”.

- 6.1.2 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 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, DM6, DM13 and Appendices 2 and 5.

The Chorleywood Neighbourhood Development Plan (Referendum Version, August 2020). Policy 2 is relevant.

6.3 Other

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

7 Planning Analysis

7.1 Overview

7.1.1 Permitted development rights were removed in relation to any enlargement, improvement or other alteration to the dwelling, any enlargement consisting of an addition to the roof and any other to the roof. This also included any erection, construction or alteration of a gate, fence, wall or other means of enclosure under the previous planning permission (reference 13/2345/RSP).

7.1.2 This was 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 area.

7.1.3 Works have commenced in line with the original plans submitted but have ceased until a decision has been made. Further, if approved, the current fencing along the flank boundaries would need to be reduced in height.

7.2 Impact on Character and Street Scene

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 (adopted October 2011) relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.

7.2.2 The Chorleywood Neighbourhood Plan outlines that all development should seek to make a positive contribution to the 'street scene' by way of frontage, building line, scale and design.

7.2.3 Chestnut Avenue is a residential road with the visual amenity of the street scene enhanced by soft landscaping features, including grass verges and a number of prominent protected trees, which are evident from within the public realm. Chestnut Avenue therefore has a sylvan quality. The front gardens are generally open in character along Chestnut Avenue with a number of properties benefitting from carriage drives or large areas of hardstanding, some with low level front boundary walls and others with mature hedging.

7.2.4 The new front boundary wall would have a maximum height of 0.6m with the brick piers standing at a height of 1.2m. Whilst the introduction of higher boundary treatment would have an impact, it is not considered that the height of the boundary which will be stepped in height and softened by the existing hedging immediately behind would be at odds with the character of the area. The site is also opposite some other examples of similar height walls and thus cannot be considered to be out of character. The proposal also includes double wrought iron gates across the access into the site, which would be set back 2.2m from the front boundary wall and 5.5m from the road edge. Whilst it is noted that there are not any examples of iron gates

evident within the existing streetscene, there are many examples within the surrounding area including another example of closed-bordered timber gates within the existing streetscene. Nevertheless, proposed gates at 1.2m coupled with their set back would not have a harmful impact on the character of the area.

- 7.2.5 It is acknowledged that permitted development rights have been removed, given that the property in question is a new dwelling, which is a common practice. However, given consideration to the proposed development and the limitations of permitted development, it is considered that the brick piers and gates at 1.2m height would be 0.2m higher than what other householders in Chestnut Avenue could erect without planning permission.
- 7.2.6 Nevertheless given the height and setback nature of the proposed double iron railing gates, which would allow for a view of the existing dwelling and a low level wall and piers with soft landscaping, it is considered that the proposed front boundary treatment would not appear as an incongruous addition or result in a prominent or contrived feature within the street scene. Soft landscaping would also be retained within the frontage so that the development would respect the sylvan character of the street scene.
- 7.2.7 The proposal also seeks to construct front flank boundary close-bordered timber fencing, 1m in height, which would also include the planting of a 1.5m high hedging immediately adjacent along the front flank boundaries. The dominant front flank boundary treatment serving the existing streetscene is vegetation, predominantly hedging. However, there are some examples of close-bordered timber fencing. Given that a significant amount of hedging along the northern and southern front flank boundaries would be proposed, it is not considered that the close-boarded fencing at a height of 1m would detrimentally harm the character of the area as to warrant the refusal of planning permission. Additionally, with regard to permitted development, whilst it is again noted that permitted development rights have been removed at the application site, in the proposed location, fencing not facing or adjacent to the highway would be considered as being permitted development up to 2m in height. As such it is not considered that the proposed front flank timber fencing along the northern and southern flank front boundaries with the planting of 1.5m high hedging, which would be subject to a condition, would be significantly out of character within the streetscene or surrounding area to justify a reason for refusal.
- 7.2.8 In summary, it is not considered that the amended proposed development would result in a significant adverse impact on the character or appearance of the host dwelling, streetscene or surrounding area and the development would be acceptable in this regard in accordance with Policies CP1 and CP12 of the Core Strategy and to Policy DM1 and Appendix 2 of the Development Management Policies and the Chorleywood Neighbourhood Plan (August 2020).

7.3 Impact on amenity of neighbours

- 7.3.1 Policy CP12 of the Core Strategy advises that development will be expected to 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 LDD set out that development should not result in loss of light to the windows of neighbouring properties not allow overlooking, and should not be excessively prominent in relation to adjacent properties.

7.3.2 The proposed wall, gates and front flank boundary fencing to the drive would not result in any harm to the residential amenities of the surrounding neighbouring properties in terms of loss of light, impact on their visual amenities or overlooking.

7.3.3 As such, the proposed conversion would not result in an adverse impact upon any neighbours and would be acceptable having regard to Policy C12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies document (adopted July 2013).

7.4 Highways, Access and Parking

7.4.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means of access and to make adequate provision for all users, including car parking. Policy DM13 and Appendix 5 of the Development Management Policies document set out parking standards.

7.4.2 The existing hardstanding could accommodate in excess of three parking spaces. Thus, sufficient on-site parking would be provided.

7.4.3 The Highways Officer raised no objections to the proposed access gates in relation to highway safety given they have been set back from the edge of the road by 5.5m. A condition has been recommended to ensure that the gates are maintained as inward opening.

7.5 Trees

7.5.1 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'.

7.5.2 Policy DM6 of the Development Management Policies LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.

7.5.3 There are number of trees adjacent to the front of the application site, which are protected by a Tree Preservation Order. There is an oak tree (T01) to the north and a birch tree (02) to the south of the proposed development. The proposed works would be within the root protection areas of the above trees. A tree report accompanied the application including various investigation works. It concluded that the existing low front wall has a concrete base, which can be utilised to support the new wall with no excavations required. For the entrance and pillars a supplementary arboricultural report was submitted during the course of the application, given initial concerns raised by the Landscape Officer. A number of trial excavations were carried out and not roots were discovered. The Landscape Officer was re-consulted and raised no objection to the proposed development. The supplementary tree information provided has allayed any concerns over harm to the trees.

7.5.4 A condition would be subject to any approval to ensure that works would follow the submitted tree reports.

7.6 Wildlife and Biodiversity

- 7.6.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive.
- 7.6.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application.
- 7.6.3 The application has been submitted with a Biodiversity Checklist, which states that no protected species or biodiversity interests will be affected as a result of the application.

8 Recommendation

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

8.2 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 implemented and permanently maintained in accordance with the following approved plans: TRDC 001 (Location Plan), CAR/21/PL/L10A, CAR/21/PL/L11D, CAR/21/PL/L20C, CAR/21/PL/L21B, CAR/21/PL/L22B

Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies, CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Chorleywood Neighbourhood Plan (August 2020).

C3 The gates, fencing and wall shall not be erected other than in the materials as have been approved in writing by the Local Planning Authority as shown on Drawing Number CAR/21/PL/L11D ; and no external materials shall be used other than those approved.

Reason: To ensure a satisfactory appearance of the development and to maintain the character and appearance of the area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C4 The works hereby permitted shall be undertaken in accordance with the Arboricultural Report 2021 prepared by Bucks Plant Care Ltd and the recommendations as set out within the Supplementary Arboricultural Report 2021.

Reason: To ensure that no damage is caused to protected trees during construction 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).

- C5 Prior to their first use, the gates hereby permitted shall be installed to open inwards, set back, and thereafter retained in perpetuity at a minimum distance of 5.5 metres from the edge of the road.

Reason: To enable vehicles to safely draw off the highway before the gate is opened/closed, to minimise danger, obstruction and inconvenience to users of the adjacent highway, in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

- C6 The proposed hedging along the flank boundaries of the front garden shall be carried out before the end of the first planting season immediately following completion of the fencing. If the hedging is removed, dies, becomes severely damaged or diseased within five years of the completion of development it shall be replaced with hedging of appropriate size and species in the next planting season.

Reason: This condition is 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).

- C7 The hedging along the front boundary (fronting Chestnut Avenue) as shown on drawing number CAR/21/PL/L11D shall be maintained.

In the event that any part of the hedging shown to be retained, is removed (including prior to the commencement of the works hereby permitted), dies, becomes severely damaged or diseased it shall be replaced with hedging of appropriate size and species in the next planting season (ie November to March inclusive).

Reason: To soften the impact of the front boundary treatments in accordance with Policy DM1, DM6 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- 8.3 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 Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/businesslicences/business-licences.aspx> or by telephoning 0300 1234047.
- 15 Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-andpavements/business->

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- 16 Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.