

6. 19/0754/RSP – Part retrospective: Alterations to front boundary treatment including the provision of new brick piers with stone caps and brick walls with metal railings at 27 ASTONS ROAD, MOOR PARK, HA6 2LB. (DCES)

Parish: Batchworth Community Council

Ward: Moor Park and Eastbury

Expiry of Statutory Period: 20.06.2019

Case Officer: Aaron Roberts

Recommendation: That Part Retrospective Planning Permission be Granted.

Reason for consideration by the Committee: This application is brought before the Committee as it has been called in by three Members of the Planning Committee.

1 Relevant Planning and Enforcement History at Application Site

- 1.1 08/1038/FUL- Demolition of existing dwelling and erection of two storey detached dwelling with basement level, associated access, parking and landscaping. Refused 11.07.2008.
- 1.2 15/2022/FUL- Single storey rear extension including terrace above to first floor level; internal alterations and alterations to fenestration, additional flank windows and alterations to porch; and alterations to landscaping. Permitted 08.12.2015.
- 1.3 16/2380/FUL- Variation of Conditions 2 (Approved Plans), 3 (Materials) and 4 (Additional Openings) pursuant to planning permission 15/2022/FUL to allow alterations to fenestration and raised patio. Permitted 17.01.2017.
- 1.4 19/0057/COMP- Unauthorised front boundary treatments. Pending consideration.

2 Description of Application Site

- 2.1 The application site is located on the east side of Astons Road within the Moor Park Conservation Area.
- 2.2 The application dwelling is a two storey detached dwelling finished in white render at ground floor level and finished with hanging red tiles at first floor level. The property has been extensively extended.
- 2.3 The front building line is set back approximately 23m from the main highway. There is a carriage driveway that provides ample parking and there are two single garages attached to the main dwelling.
- 2.4 Along the front boundary there are brick walls finished in red brick with black metal railings affixed above. There are two gates, with two brick piers either side of each respective gate with a swept section of brick wall and associated railing adjoining. In total, the width of the front boundary treatment from the southern boundary of the site to the northern boundary is approximately 26.3m. Immediately behind the front boundary treatment is a range of vegetation and lawn.
- 2.5 There is a distinct change in levels between the site and the neighbouring dwellings. To the north, No. 25 Astons Road, set at a lower level (approximately 2m difference) and to the south, No. 29 is set at a higher level than the application site (approximately 2m difference).

3 Description of Proposed Development

- 3.1 This application seeks part retrospective planning permission for alterations to existing unlawful front boundary treatments which include brick piers with stone caps and brick walls with metal railings.

- 3.2 During the application process amended plans have been submitted which show the removal of the two existing gates and the lowering of the brick piers, adjacent to each entrance into the frontage.
- 3.3 The brick wall and associated railings will therefore have a maximum height of approximately 1.5m between the southern boundary and the most southerly brick pier. The height of the railing reaches approximately 1.6m on the swept section of wall adjoining the second most southerly pier. The height of the brick walls and associated railings reduce in line with the slope of the land towards the north of the site. Within the middle section of the front boundary treatment the brick wall with the railings fixed above have a combined height of approximately 1m from the ground level to the top of the spikes. Towards the second most northerly brick pier the height of swept section of wall gradually increases to approximately 1.8m from ground level to the top of the railing.
- 3.4 The amended plans propose that the southerly piers will now have a maximum height of approximately 1.86m, reduced from 2.25m currently in situ and the northerly brick piers to have a maximum height of approximately 1.95m, reduced from 2.23m currently in situ.
- 3.5 The proposed front boundary treatment would have a total width of approximately 26.3m.

4 Consultation

4.1 Statutory Consultation

4.1.1 Batchworth Community Council: [Objection]

'The Council supports Moor Park 1958 Ltd in their comments on this application'.

4.1.2 National Grid: No response received.

4.1.3 Moor Park 1958 Limited: [Objection]

The Directors of Moor Park (1958) Limited would wish to raise the following strong objections on the retrospective application as follows:-

Paragraph 3.12 of the approved Moor Park Conservation Area Appraisal (MPCAA) clearly states that:-

"The open character of the frontages in the conservation area is one of its most pleasant features.....Walls, metal gates and railings will not be considered to be sympathetic as these are likely to alter the area's appearance".

At the outset (and for the record), we consider the low nature of the majority of the frontage boundary wall itself to be broadly acceptable, due to its modest scale and minimal impact.

However, in our opinion, the two sets of front boundary gates (in excess of 2 metres in height), four substantial brick piers (all well in excess of 2 metres in height) and the immediately adjacent curved sections of wall/railings (at circa 1.4 metres in height), by virtue of their respective (and cumulative) heights, design, bulk/mass and scale, result in an overwhelmingly urbanising, visually prominent, over-dominant and wholly inappropriate form of development which is materially and substantially harmful to the character, openness and visual amenity of the street scene and wider Conservation Area.

While other such boundary treatments may exist on the estate, they are fundamentally not the predominant feature of the boundary frontages. Indeed, it is open, well landscaped and "unbuilt" frontages that are (one of) the strong, defining and characteristic features of the Conservation Area.

The overall impact of the scheme is such that the works comprehensively fail to preserve or enhance the character and appearance of the designated Moor Park Conservation Area and fail to have any regard, sensitivity or sympathy to the predominantly open character, well landscaped and attractive appearance of the overwhelming majority of properties within the Moor Park Conservation Area as highlighted in para 3.12 of the approved MPCA.

Furthermore, the application property is a notable pre58 dwelling on the estate that has been confirmed (by Council refusal and a dismissed appeal) as one that makes a material and positive contribution to the character and appearance of the Conservation Area. In our opinion the height and scale of the front gates, piers, curved walls and railings materially prejudice and undermine the appearance of this important pre58 dwelling in the street scene.

In support of our strong objections, and albeit recognising that no two planning cases are the same, nevertheless, by way of directly and indirectly related cases, we respectfully request that the Council be mindful of:-

- *ref 99/01576/FUL - New brick wall and entrance gates to front at 32 Astons Road – Refused by the Council AND APPEAL DISMISSED*
- *ref 00/00223/FUL - Erection of gates and boundary wall (retrospective) also 32 Astons Road – Refused by the Council*
- *ref 00/00866/FUL - Replacement of existing front garden wall and gates - also 32 Astons Road - Refused by the Council*
- *ref 19/0105/RSP - Construction of front and side boundary walls to frontage - also 32 Astons Road – Refused by the Council (very recently on 21 March 2019)*
- *18/1494/FUL refers to the Council’s decision to **refuse** planning permission for a scheme comprising two brick piers and metal gates at 23 Bedford Road that has subsequently (and recently) been DISMISSED ON APPEAL (6 March 2019), and*
- *13/0523/FUL refers to the proposal for front boundary wall and gates that was refused by the Council AND DISMISSED ON APPEAL at **47 Russell Road**.*

It is our strong view that all of these cases raise very similar and comparable planning issues to the current application in terms of the significant and adverse impact of such wholly unacceptable frontage development in the Moor Park Conservation Area.

*In light of the above, it is our view that the Council should robustly **refuse the retrospective application, serve an enforcement notice to deal with the breach of planning control and thereafter pursue appropriate enforcement action as a matter of urgency.***

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

Following amendments removing the gates and lowering of the brick piers, Moor Park 1958 Limited were re-consulted. Below is their most recent comments:

‘Thank you for the opportunity to comment on the amended plans re the above property.

*We wish to maintain our **strong objections** to the proposal even in its latest amended form. This is for the reasons already stated in our original letter of objection.*

We consider that the amendments are nothing more than a cosmetic “tinkering” at the edges of a scheme for front boundary enclosures that is clearly unacceptable.

*In our opinion the planning principle, and material starting point, to consider these latest amendments, **must be** on the basis of the clearly stated provisions for front boundary*

treatments established by paragraph 3.12 of the approved Moor Park Conservation Area Appraisal (MPCAA) that states:-

"The open character of the frontages in the conservation area is one of its most pleasant features.....Walls, metal gates and railings will not be considered to be sympathetic as these are likely to alter the area's appearance".

*In contrast, the "starting point" should **not be** on the basis of how much of the unacceptable boundary development can be "shaved off" in order to make it just about permissible. To do so would be a betrayal of the established open character of the Moor Park Conservation Area and would patently be the incorrect application of national and local Conservation Area legislation.*

*It would also fly in the face of the substantial list of similar examples of front boundary enclosure developments that have been refused by the Council and/or dismissed on appeal – as were set out in our original letter of objection. **Such a clear indication of how the open character of the frontages of properties have been (and should be) protected over a sustained period must not be lightly set aside.***

*Looking at the amendments in detail, it appears that the simplest thing to do (if permission were to be granted under the current application) is simply to apply at a later date to install the gates – on the basis that the gate piers are already in situ and at a convenient height (circa 1.9m) to hang two sets of gates! We consider this to be **entirely unacceptable** and a calculated attempt to circumvent the current predicament without meaningful change.*

*If any amendments are to be considered acceptable from our point of view **then ALL of the following needs to be achieved:-***

- (i) the gates must be removed (as already proposed)*
- (ii) **all of the metal railings** must be entirely removed and*
- (iii) **all five brick piers should be reduced in height** to be only a coping stone higher than the front boundary wall shown on the submitted drawings **** note** - even though this will produce differing heights to the brick piers on either side of the access driveways, in our opinion this is not a material problem in Conservation Area terms. Subtle changing levels on front (and side) boundary features are part and parcel of the nature and character of the Moor Park Conservation Area.*

*For the avoidance of doubt, failure to secure these meaningful and material amendments will result in us maintaining our **strong objections**'.*

Officer comment: It should be noted that the applicant could, without planning permission, erect a front boundary treatment up to a height of 1m. Whilst an Article 4 Direction exists within the Moor Park Conservation Area restricting means of enclosures, it does not apply to Astons Road. In any event, the Article 4 Direction only restricts means of enclosure up to a height of 1m.

4.1.4 Landscape Officer: [No objection]

'This is a retrospective application. There does not appear to be any impact to adjacent trees. I therefore do not wish to raise any objections to the application'.

4.1.5 Conservation Officer: [No objection to amended scheme]

'This is a retrospective application for alterations to front boundary treatment, including the provision of new brick piers with stone caps and brick walls with metal railings and the provision of metal swing gates to existing crossovers.

27 Astons Road is located within the Moor Park Conservation Area, a key characteristic of which is 'Open frontages separating gardens from the estate road verges', as specified on page 5 of the Conservation Area's appraisal document. These open frontages contribute positively to the sense of green space within the Conservation Area, coupled with the low density of houses within the development.

The introduction of hard, masonry boundary treatments is therefore dissuaded, as their incongruous appearance will gradually erode the character and special interest of Moor Park Conservation Area. The original plans submitted as part of this application show the new wall and gates as built, which are harmful to the character of the conservation area. Revised drawings, removing the gates and lowering the brick piers have improved the design, minimising the impact upon the Conservation Area.

Whilst there is still some harm to the Conservation Area, the wall as shown in the revised drawings is relatively low in height. Further planting and the introduction of hedgerow behind the wall, softening the appearance of the railings is recommended to mitigate this harm. The Conservation Area Appraisal document does note a change of character in Astons Road, and therefore I do not have any strong objection to the revised drawings, subject to the condition that further planting is introduced to create an overall 'green' appearance to the front of the property'.

4.2 Public/Neighbour Consultation

- 4.2.1 Number consulted: 6 No of responses received: 0
- 4.2.2 Site Notice: Conservation Area; expired 25.05.2019
- 4.2.3 Press notice: Watford Observer; Conservation Area; expired 01.06.2019
- 4.2.4 Summary of Responses: None received.

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

On 19 February 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 2019 NPPF is clear that "existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework".

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

6.2 The Three Rivers Local Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP9, CP10 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM3, DM6, DM13 and Appendices 2 and 5.

6.3 Other

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

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

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

Moor Park Conservation Area Appraisal (2006).

7 **Planning Analysis**

7.1 Overview

7.1.1 On 11 March 2019, an enforcement enquiry was received in regards to the installation of gates and front boundary walls at No.27 Astons Road.

7.1.2 A site inspection was conducted on 27 March 2019, where it was ascertained that gates, front boundary walls with associated railings and brick piers had been constructed. The development required planning permission, as it did not meet the requirement of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) by reason of its height in relation to its position adjacent to a highway.

7.1.3 In an enforcement letter dated 28 March 2019, the owner of 27 Astons Road was informed that as the development was not considered 'permitted development', a retrospective planning application would be required to formalise the works. This planning application has therefore been submitted in response to the enforcement investigation to date but its submission is not conclusive as to its acceptability which will be discussed within the following analysis sections.

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 Policy DM1 of the Development Management Policies LDD (adopted July 2013) advises that development should not appear excessively prominent. Policy DM3 relates to Heritage Assets and sets out that development should be sympathetic to the wider features of the Conservation Area. It states:

'Development will only be permitted if the proposal:

i) Is of a design and scale that preserves or enhances the character or appearance of the area

ii) Uses building materials, finishes including those for features such as walls, railings, gates and hardstanding that are appropriate to the local context

- 7.2.3 The Moor Park Conservation Area Appraisal (2006) is also relevant, this states the following with regard to the special character of the area:

The existing development has a special visual quality created by large houses situated on individual plots along wide streets with high quality landscaping. The layout is characterised in some areas by open frontages, low walls or hedges separating gardens from the estate road verges, which was a feature of the original design'.

- 7.2.4 At section 2.3 of the adopted Conservation Area Appraisal there is a list of features which contribute to its special architectural and historic interest, and thus justify its designation as a Conservation Area. One such feature is listed as, 'open frontages separating gardens from estate road verges'. The Conservation Area Appraisal goes on to state that; "Walls, metal gates and railings will not be considered sympathetic as these are likely to alter the area's appearance."

- 7.2.5 The predominant character of Astons Road is a tree lined street that is green and open in appearance. The boundary treatments along Astons Road help to maintain this character. The soft landscape boundary treatments contribute to the green nature of the street scene whilst where there is hard boundary treatment fronting Astons Road this is predominantly low level and maintains the openness of the street scene and allows views of the soft landscape features. The open accesses further contribute to the open character of the street scene. It is noted that a number of unauthorised means of enclosures to the front of properties within Astons Road have occurred; however, these are subject to existing enforcement cases.

- 7.2.6 It is considered that the amended low level of the brick walls and affixed metal railings would maintain the open and green appearance of the Conservation Area. The low brick walls and affixed metal railings would not be excessive in height, with a maximum height of approximately 1m along the middle section of the front boundary. They also allow views through from Astons Road into the site due to their height and design. The vegetation located directly behind the front boundary treatment is readily visible, with the transparent nature of the railings contributing to the continuation of open frontages which contribute positively to the sense of green space within the site. To further enhance the impression of open frontages and sense of green space a condition has been added to provide details of further planting behind the front boundary treatment, to infill any areas that are currently not occupied by a sufficient level of vegetation, thereby softening the appearance of the railings. It is noted that swept sections of the boundary wall which adjoin the piers reach a maximum height of approximately 1.8m from ground level to the top of the railings, however this relates to a minimal amount of the overall width of the front boundary treatment.

- 7.2.7 The amended plans propose to alter the height of the southerly piers so they would have a maximum height of approximately 1.86m with a reduction in the height of the northerly brick piers to approximately 1.95m. Whilst above a height of 1m, it is not considered that these brick piers would be imposing or incongruous and would relate well to the railings due to the minimal height difference between the top of the railings and the top of the brick piers.
- 7.2.8 Additionally, it is considered that due to the removal of the existing gates, which currently enclose the site and are detrimental to the open character of the street scene and Conservation Area and the lowering of the brick piers adjacent to the vehicle entrances, which at present are quite imposing, the proposal would not result in any demonstrable harm to the visual amenities of the street scene and would preserve the character and appearance of the Conservation Area. The Conservation Officer has stated that the amendments have improved the design, minimising the impact upon the Conservation Area and has recommended that additional planting which can be secured by condition.
- 7.2.9 Overall, it is considered that the amended alterations to front boundary treatments would preserve the character and appearance of the Moor Park Conservation Area. The proposal would therefore be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy, Policies DM1 and DM3 and Appendix 2 of the Development Management Policies LDD and the Moor Park Conservation Area Appraisal (2006).
- 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 residential 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.
- 7.3.2 Due to the nature of the proposal, it is not considered that the development would impact on the residential amenities of the surrounding neighbouring properties.
- 7.4 Trees and Landscaping
- 7.4.1 Policy DM6 of the DMP 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.
- 7.4.2 The Landscape Officer had no objections, as adjacent trees had not been affected by the development. The proposed removal of the gates and lowering of the brick piers would also not impact any protected trees.
- 7.4.3 A condition has been recommended which seeks further planting enhancements behind the railings.
- 7.5 Highways, Access and Parking
- 7.5.1 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. The Parking Standards require 3 parking spaces for properties with 4 or more bedrooms such as the application dwelling.
- 7.5.2 The development would not impact upon car parking provision and it is not considered that the development would cause significant harm to highway safety.

7.6 Amenity Space

- 7.6.1 Policy CP12 of the Core Strategy states that development should take into account the need for adequate levels and disposition of amenity and garden space. Section 3 (Amenity Space) of Appendix 2 of the Development Management Policies document provides indicative levels of amenity/garden space provision.
- 7.6.2 The development would not impact upon the level of amenity space within the site. There is sufficient amenity space provision to accommodate the proposed development and serve the dwelling in accordance with the standards as set out within the Design Criteria of the DMP LDD.

7.7 Wildlife and Biodiversity

- 7.7.1 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.
- 7.7.2 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.
- 7.7.3 The application has been submitted with a Biodiversity Checklist with the application and states that no protected species or biodiversity interests will be affected as a result of the application. The site is not in or located adjacent to a designated wildlife site. The Local Planning Authority is not aware of any records of protected species within the immediate area that would necessitate further surveying work being undertaken.

8 **Recommendation**

- 8.1 That PART RETROSPECTIVE PLANNING PERMISSION be APPROVED and has effect from the date on which the development was carried out and is subject to the following conditions:

Conditions:

- C1 Within THREE MONTHS of the date of this decision, the two gates shall be removed and the brick piers lowered, so that the development hereby permitted shall be completed in accordance with the following approved plans: TRDC001 (Location Plan) and 4883/PL/500B (12.06.2019).

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

- C2 Within THREE MONTHS of the date of this decision, a soft landscaping plan shall be submitted to the Local Planning Authority detailing additional planting directly behind the front boundary treatment.

All agreed soft landscaping works required by the approved scheme shall be carried out before the end of the first planting and seeding season following the grant of planning permission. If any of the agreed and planted soft landscaping,

are removed, die, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (i.e. November to March inclusive).

Reason: This condition is required to ensure that the walls and railings as amended are softened to safeguard the visual amenity of the street scene and to preserve the character and appearance of the Moor Park Conservation Area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM6 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 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.

- 13 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.