**12. 16/2753/FUL – Demolition of existing bungalow and construction of two pairs of semi-detached dwellings including accommodation in roofspace and ancillary works including alterations to land levels and associated parking and landscaping at HARADWAITH, HOMEFIELD ROAD, CHORLEYWOOD, HERTS, WD3 5QJ for Mr Ford**

◼

|  |  |
| --- | --- |
| Parish: Chorleywood | Ward: Chorleywood North and Sarratt |
| Expiry Statutory Period: 17 February 2017 | Officer: Suzanne O’Brien |
|  |  |
| Recommendation: That Planning Permission be granted  |
|  |
| Reason for consideration by the Committee: At the request of Chorleywood Parish Council |

1. **Relevant Planning History**

 99/01768/FUL - Erection of replacement garage – Permitted - 07.01.2002

 06/0074/FUL - Demolition of existing dwelling and erection of pair semi detached dwellings and one detached dwelling – Refused - 16.03.2006

 Refused for the following reasons:

 R1 It is considered that the proposed houses would by virtue of the site density, narrow garden width of plot 2, narrow gaps between buildings and the bland & uninteresting design of the replacement houses, the proposed houses be detrimental to the character and appearance of the immediate street scene and wider character of the Conservation Area. The proposal is therefore considered to be contrary to Policies C1, H14, GEN3 and Appendix 2 of the Three Rivers Local Plan 1996-2011.

 R2 The proposed development would result in an intensification of use of an existing access (Homefield Road) which is inadequate by reasons of its width, alignment, construction and substandard junction with Shire Lane to serve the proposed development with safety and convenience. The proposed development would therefore be detrimental to highway safety and not in accordance with Policy T7 of the Three Rivers Local Plan 1996-2001.

 R3 The applicant has not demonstrated that the proposed parking spaces can be provided in the areas shown or that there is sufficient space to provide turning facilities and visibility splays for the spaces. The proposed development, if permitted, would therefore be likely to be detrimental to highway safety and is therefore contrary to Policy T7 of the Three Rivers Local plan 1996-2011.

 R4 The applicant has not demonstrated through the submission of an appropriate aboricultural survey that there will not be any adverse impact on the trees located towards the northern boundary of the site. The proposed development if permitted could result in adverse impacts on existing trees and this would be to the detriment of the character and appearance of the conservation area. The proposal would therefore not be in accordance with Policies C1, N15 and Appendix 2 of the Three Rivers Local Plan 1996-2011.

 R5 The proposed amenity areas of the development are not considered to be acceptable in that large areas of the proposed gardens are overhung by tree canopies and are also shaded by existing tall mature trees. This is detrimental to the amenity of potential occupiers and may result in pressure being exerted for the pruning or removal of such trees. This would be detrimental to Policies GEN3, C1, N15 and Appendix 2 of the Three Rivers Local Plan 1996-2011.

 16/2255/FUL - Demolition of existing bungalow and construction of two pairs of semi-detached dwellings including accommodation in roofspace, lower ground level and ancillary works including alterations to land levels and associated parking and landscaping – Withdrawn - 14.12.2016

2. **Detailed Description of Application Site**

2.1 The application site is a large residential plot which fronts onto Homefield Road and currently contains a single storey dwelling known as Haradwaith. The house has a shallow relatively flat front garden with a high double detached garage sited within the northern corner. To the rear, the land rises rapidly towards a boundary with the rear garden and adjoins the front boundaries of Burleigh and Lincoln House to the east.

2.2 The boundary to the south adjoins the boundary with Keepers Cottage. The northern boundary adjoins an access track that serves the semi detached properties to the east.

2.3 The site lies in the Chorleywood Common Conservation Area. A number of significant trees are sited along the boundaries of the site some of which are protected along the north and southern boundaries, the rest are protected by virtue of the Conservation Area status of the site.

2.4 The land surrounding the application site has been significantly altered with the construction of three new pairs of semi-detached properties on land originally forming part of the curtilages of Applegarth and The Cottage. These include Keepers Cottage and Clement Cottage to the south of the application site (09/1021/FUL), Burleigh and Lincoln House to the east and Southgait and Sycamore House to the south of The Cottage (08/0282/FUL). Furthermore, The Cottage sited to the south east of the application site has been subdivided to create two dwellings (10/2424/FUL). The vehicular access onto Orchard Drive has also been updated; the application site is located close to this access. Furthermore, a detached dwelling has also been granted on land to the rear of Crindau to the north of the application site (11/2618/FUL).

2.5 The neighbouring property to the south (Keepers Cottage) is a two storey dwelling which is set on higher ground to the application dwelling. Keepers Cottage has a similar front building line to the application dwelling; the rear elevation of Keepers Cottage faces in a south east direction, thus angles away from the application site. The single storey rear extension serving the application dwelling extends just beyond the rear elevation of Keepers Cottage. The front elevations of the neighbouring properties to the rear face the application site; these neighbouring buildings are set on significantly higher ground to the application dwelling.

3. **Detailed Description of Proposed Development**

3.1 This application seeks full planning permission for the demolition of the existing dwelling and the construction of two pairs of semi-detached dwellings.

3.2 The proposed two replacement buildings would measure 12.1m in width, a maximum of 15m in depth at ground floor level and 11.5m in depth at first floor level. The dwellings would have pitched roof forms with pitched two storey rear projections and a ridge height of 10.3m when measured from the front elevation. The dwellings would include roof accommodation served by dormers to the rear which would measure 1.8m in width, 1.6m in depth and 1.7m in height. The single storey rear projections would have a flat roof with a height 3.3m. Fenestration would be inserted within the front, side and rear elevations of the dwellings at ground and first floor level.

3.3 The drawings detail that the development would include alterations to the existing land levels. The dwellings on Plots 1 and 2 would be sited on land approximately 0.1m higher than existing and the land levels would be reduced by approximately 0.5m to accommodate the dwellings on Plots 3 and 4. The land levels to the rear would be reduced in part to provide a level surface to serve the dwellings.

3.4 The dwellings would be set in 1.8m from the south boundary, 4.4m from the north boundary and 2.5m would separate the flank elevations of the proposed dwellings. The dwellings would be set back a minimum of 8m from the front boundary.

3.5 Each dwelling would be served by an integral garage and a drive to the front of the dwelling. The protected Sycamore tree along the northern boundary would be removed and replaced with semi mature Sycamore trees also to be sited along the northern boundary.

4. **Consultation**

4.1 National Grid

4.1.1 Summary: No comments received.

4.2 Chorleywood Parish Council

4.2.1 Summary: Objection.

4.2.2 *The Committee had Objections to this application on the following grounds and wish to CALL In, unless Officers are minded to refuse this application.*

* *The property is located within Chorleywood Conservation Area;*
* *No Conservation Area Consent applied for;*
* *Overdevelopment of the site which is in the Chorleywood Conservation Area;*
* *The impact on the street scene;*
* *The impact on the neighbours;*
* *The replacement dwellings do not enhance the Conservation Area;*
* *Overdevelopment of the site will cause considerable harm to the character and appearance of the Conservation Area;*
* *Major concern with further congestion with the additional vehicles in Homefield Road;*
* *Concern with the Hedgerow between Homefield Road and Orchard Drive which is an historic feature (part of the ancient Wessex and Mercia border).*

4.3 Highway Authority

4.3.1 Summary: No objection.

4.3.2 *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.*

 *Description of the Proposal: The views of the County Highway Authority have been sought by the Three Rivers District Council (TRDC) on the above application. The proposal comprises to demolish the existing bungalow and creation of two pairs of semi-detached dwellings including accommodation in roofspace and ancillary works and alteration to land levels, parking and landscaping. The applicant site sits at Homefield Road off Orchard Drive and classified as private road. Therefore the County Highway Authority has no jurisdiction for its maintenances. Furthermore, Homefield Road can also be accessed from another public road (Shire Lane). Orchard Drive is an unclassified road while Shire Lane is classified road C. Vehicle speeds on these are limited to 30mph.*

 *Highway Comments: Access: The applicant site sits at private road (Approximately 3.3m wide) and accessed from Orchard Drive. The previous application (06/0074/FUL) was refused due to inadequate capacity of junction between Homefield Road and Orchard Drive. Recently this junction has been upgraded which improved the traffic movements between private road and public road network. The County Highway Authority has considered that improved junction layout would be helpful to support the additional traffic that may generate due to the development proposal.*

 *Visibility: The present visibility splay from existing access point is deemed satisfactory and would not be greatly affected due to the proposed development.*

 *Servicing the development: The submitted documents do not show the details of waste collection point. However, the development site has an existing means of waste collection which would be acceptable for the new development.*

 *Parking and Construction traffic management: The supporting drawing (Ref: 1247/P2/9) dated 03.01.2017 shows the off street parking layouts for 8 cars at the front of the site construction traffic management plan which is deemed satisfactory and would acceptable in the highway context. However the parking standards would need to meet the Local Planning Authority’s criteria.*

 *Conclusion: The proposed development has been considered by the County Highway Authority, who has undertaken an assessment in terms of the impact on the highway network including net additional traffic generation, access arrangements, and visibility and parking provision and is satisfied that the application would not have a significant impact on the safety and operation of the adjoining public highway network. The County Highway Authority therefore has no highway objections to the proposals.*

4.4 Landscape Officer

4.4.1 Summary: No objection.

*The proposed scheme differs slightly from the previous scheme which was submitted under 16/2255/FUL. This new proposal does still require the removal of a Sycamore tree which is protected as Tree 16 of TPO761. The submitted Landscape Plan 1247/P2/8 does reflect the Landscape comments which were made in response to 16/2255/FUL. On the whole the detail on 1247/P2/8 is acceptable apart from the detail relating to the proposed replacement planting for the Sycamore. Reference is made to the planting of three Semi-Mature Sycamore trees, it would be preferable for the size of these trees to be clearly specified with reference to industry standards of trunk girth. The ‘Landscape Specification’ at the bottom of plan only specifies the size of the smaller trees to be planted elsewhere within the site. There are also other details in the text at the bottom of the plan which relate to outdated versions of British Standards which should be corrected if a Landscape Plan for this site is to be considered as an approved plan should planning permission be granted. The choice of species for the replacement of the protected tree has clearly been chosen to reflect the species of tree to be removed. Given the location and the character of the area it may be more appropriate to consider a different species of Maple for the three semi-mature trees which are proposed to be planted along the northern boundary of the site. The Caucasion Maple would make a suitable choice.*

*The changes to the Landscaping Plan could be secured through a condition if planning permission is granted. The detail included in the Arboricultural and Planning Integration Report (ref: GHA/DS/14460:16) prepared by G.H.A. Trees remains relevant to this current proposal and includes appropriate tree protection measures.*

4.5 Conservation Officer

4.5.1 Summary: No objection.

4.5.2 *Relevant policies:*

*The Planning (Listed Building & Conservation Areas) Act 1990 requires special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.*

*Haradwaith Homefield Road is in the Chorleywood Common Conservation Area. This Conservation Area is a designated heritage asset.*

*DM3 The Historic Built Environment.*

*Within Conservation Areas 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*

*iii) Retains historically significant … elements of the area’s established pattern of development, character and historic value.*

*National Planning Policy Framework:*

*NPPF para. 64 states: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.*

*NPPF 131: In determining planning applications local planning authorities should take account of:*

*• The desirability of new developments making a positive contribution to local character and distinctiveness*

*Para 132 When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation ... Significance can be harmed or lost through alteration or destruction of the heritage asset ... As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.*

*NPPF 137: Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve these elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.*

*The NPPF core principles firstly are to always seek to secure high quality design and second, conserve heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations.*

*Discussion:*

*This area is detached from the main part of the Conservation Area and does not share its overwhelming characteristics such as large rural open spaces. It is not mentioned in the Conservation Area Appraisal. However, a previous proposal at this site (16/2255/FUL) was rejected by conservation as it was:*

*“overly large, unbalanced and out of character. The access to Homefield Road would be overly large and out of keeping.”*

*This new design has been reduced (figure 3 page 8 Design and Access Statement) and the flat roofs have been replaced with better designed and smaller pitched roofs. The ridge line and plot coverage has been reduced.*

*Conclusion:*

*These works do not represent a harmful impact on this heritage asset and I would not therefore object. I have considered the considered the conservation provisions of the 1990 Listed Building and Conservation Area Act, DM3 and the NPPF.*

*It is therefore my opinion that the proposed works are acceptable as they do not harm this designated heritage asset (the Conservation Area).*

4.6 Herts Ecology

4.6.1 Summary: No objection.

4.6.2 *The application site sits within a 500 m buffer zone of a known breeding population of great crested newts (GCN). The population of GCN on Chorleywood Common has been well documented and is one of the qualifying features of the areas designation as a statutory protected Local Nature Reserve. From Hertfordshire Ecology’s previous experience of responding to planning applications in this area, we are aware that GCN do occur outside of the common in residential gardens. However the pond described by the Ecologist does not seem to be suitable for breeding great crested newts, especially if there are fish in the pond. I base this on running several HSI calculations using various combinations of ponds within a 1 km radius and minor and major fish populations, at no point did the pond HSI score go above ‘below average’. However as with reptiles, the garden has the potential to become suitable for GCN during their terrestrial phase if left unkempt and therefore should be taken into consideration. Had the ecologist acquired records from the Hertfordshire Ecological Records Centre, rather than relying on ASW’s own limited database the presence of this population would have been apparent.*

*The site is less that 200 m from Chorleywood Common LNR, due to the nature and intervening land use it is unlikely that the application will directly impact on the LNR.*

*In light of the Ecologists recommendations I would advise that the following three informatives are added to any planning decision. They are intended to help protected potential breeding birds, roosting bats and foraging reptiles and amphibians:*

1. *The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage, or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.*

*Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to asses the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.*

1. *Works should proceed with caution and in the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from one of the following: a bat consultant, the UK Bat Helpline: 0845 1300228, Natural England: 0300 0603900, or the Herts & Middlesex Bat Group website:* [*www.hmbg.org.uk*](http://www.hmbg.org.uk)

*3. The area of grass around the proposed development site should be mown/strimmed as short as possible before and during construction to ensure it remains/becomes unfavourable for great crested newts and reptiles;*

*Stored materials (that might act as temporary resting places) are raised off the ground e.g. on pallets or batons; and any rubbish is cleared away to minimise the risk of great crested newts or reptiles using the piles for shelter;*

*Trenches or excavations are backfilled before nightfall or a ramp left to allow great crested newts or reptiles to escape;*

*Building work should (ideally) be carried out during April-June, when great crested newts are more likely to be found in ponds and less likely to be found on site;*

*If great crested newts or reptiles being found, work must stop immediately and ecological advice taken on how to proceed lawfully from Natural England (0300 060 3900) or an ecological consultant.*

4.7 Herts & Middlesex Wildlife Trust

4.7.1 Summary: No comments received.

4.8 Thames Water

4.8.1 Summary: No objection.

4.8.2 *Waste Comments*

*Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.*

*Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.*

*Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.*

 *Water Comments*

*With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.*

4.9 Affinity Water

4.9.1 Summary: No comments received.

5. **Neighbour Consultation**

5.1 No. consulted: 31

 No. responses: 7 (Including one received from Friends of Chorleywood Common)

5.2 Site Notice: Posted 13 January 2017 and expired 3 February 2017

 Press Notice: Expired 10 February 2017

5.3 Summary of responses:

* Overdevelopment; Development would change the character of the Conservation Area and reduce the attractiveness;
* Homefield Road is unsuitable for further development which the Council is aware of; development would result in excessive additional traffic along Homefield Road which would not be alleviated by the new access;
* Adversely affects Conservation Area; Would fail to preserve or enhance the open and rural character or appearance of the Chorleywood Common Conservation Area contrary to the NPPF and Policy DM3 of the Development Management Policies LDD;
* Second application which does not address previous short comings;
* Cannot judge whether previous concerns have been overcome with no improvements to visual bulk;
* Overbearing frontage and sub-urban in design;
* No improvements to visual bulk and height is the same suggesting inaccuracies;
* Question design and layout of proposed dwellings and highlight inaccuracies on plans;
* Scale of the development would be out of character with the immediate locality;
* Cars cannot access the site;
* Concerns regarding lack of vegetation along the frontage;
* Question whether access rights have been confirmed;
* Questions that the works would not meet Building Regulations;
* Would impact on protected trees;
* Scale of development is excessive and proposal would be far greater density than other properties in Homefield Road and Orchard Drive;
* Previous development along Homefield Road cannot be used as an example of similar development;
* Development would not provide family size accommodation and will be required to be extended in the future;
* Units would be set at an angle to the road and no consideration has been made to the narrowness of the road;
* No tree protection in the Wessex Mercia border has been provided which should be retained and protected;
* The proposed landscaping would not reflect the wider Conservation Area and any new trees should be protected from the outset;
* Incorrect ownership certificate has been submitted with the application;
* Existing services could not cope with proposed development;
* Development would impact on pedestrian safety as Homefield Road is heavily used by pedestrians;
* Development would overshadow, result in loss of natural light and sunlight to neighbouring property;
* Road is not of sufficient width to allow easy access to the proposed drives and there would be no provision for visitor parking.

6. **Reason for Delay**

6.1 Committee Cycle.

7. **Relevant Local Planning Policies:**

7.1 National Planning Policy Framework (NPPF)

7.1.1 On 27 March 2012, the framework of government guidance in the form of Planning Policy Statements and Planning Policy Guidance Notes was replaced by the National Planning Policy Framework (NPPF). The adopted policies of Three Rivers District Council reflect the content of the NPPF.

7.2 The Three Rivers Local Plan Core Strategy:

7.2.1 The Core Strategy was adopted by the Council on 17 October 2011. Relevant Policies include: PSP2, CP1, CP2, CP3, CP4, CP8, CP9, CP10 and CP12.

7.3 Development Management Policies LDD:

7.3.1 The Development Management Policies LDD was adopted on 26 July 2013 having been through a full public participation process and Examination in Public. Relevant policies include: DM1, DM3, DM4, DM6, DM8, DM10 and DM13 and Appendices 2 and 5.

 The Chorleywood Common Conservation Area Appraisal (adopted February 2010) is also relevant to this application.

7.4 The Site Allocations LDD:

7.4.1 The Site Allocations LDD was adopted on 25 November 2014 having been through a full public participation process and Examination in Public. Relevant policies include SA1.

7.5 Other

7.5.1 The following Acts and legislation are also relevant: The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 Habitat Regulations 1994, the Localism Act 2011 and the Growth and Infrastructure Act 2013.

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

8. **Analysis**

8.1 Principle of Residential Development

8.1.1 The application site is not identified as a housing site in the Site Allocations LDD (SALDD) (adopted November 2014) and would therefore be considered as a windfall site. However, as advised in the SALDD, where a site is not identified for development, it may still come forward through the planning application process where it will be tested in accordance with relevant national and local policies.

8.1.2 Policy CP2 of the Core Strategy (adopted October 2011) advises that in assessing applications for development not identified as part of the District’s housing land supply, including windfall sites, applications will be considered on a case by case basis having regard to:

1. The location of the proposed development, taking into account the Spatial Strategy
2. The sustainability of the development and its contribution to meeting local housing needs
3. Infrastructure requirements and the impact on the delivery of allocated housing sites
4. Monitoring information relating to housing supply and the Three Rivers housing targets.

8.1.3 The Spatial Strategy of the Core Strategy identifies Chorleywood as a Key Centre and advises that new development within Three Rivers will be directed towards previously developed land and infilling opportunities within the urban area of Key Centres. This strategy is supported by Policy PSP2 of the Core Strategy which states that future development will predominantly be focused on sites within the urban area. The application site contains a detached dwelling and constitutes previously developed land. The site is sustainably located within walking distance of Chorleywood Station and the amenities along Lower Road and Main Parade.

8.1.4 Therefore, there is no objection to the principle of residential development on this site subject to the proposal’s compliance with relevant local and national planning policies.

8.2 Principle of Demolition

8.2.1 The application site is located within Chorleywood Common Conservation Area. Policy CP12 of the Core Strategy stipulates that development proposes should conserve and enhance heritage assets. Specifically in relation to demolition Policy DM3 of the Development Management Policies LDD states:

 *‘Within Conservation Areas permission for development involving demolition or substantial demolition will only be granted if it can be demonstrated that:*

 *i) the structure to be demolished makes no material contribution to the special character or appearance of the area; or,*

 *ii) it can be demonstrated that the structure is wholly beyond repair or incapable of beneficial use; or*

 *iii) it can be demonstrated that the removal of the structure and its subsequent replacement with a new building and/or open space would lead to the enhancement of the Conservation Area.’*

8.2.2The proposed dwelling to be demolished consists of a single storey bungalow. The spacing surrounding the dwelling contributes to the open character of the site however the existing building makes no material contribution to the special character or appearance of the Chorleywood Common Conservation Area. Furthermore, no objections were raised to the demolition of the existing dwelling by the Conservation Officer. As such, the proposed demolition of the existing building would not have an adverse impact on the character and appearance of the Conservation Area or the visual amenities of the street scene.

8.3 Character, Appearance & Street Scene

8.3.1 Policy CP1 of the Core Strategy seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policies CP3 and CP12 of the Core Strategy set out that development should make efficient use of land but should also *'have regard to the local context and conserve or enhance the character, amenities and quality of an area'*.

8.3.2 In terms of new residential development, Policy DM1 of the Development Management Policies LDD (adopted July 2013) advises that the Council will protect the character and residential amenity of existing areas of housing from forms of new residential development which are inappropriate for the area. Policy DM1 states that:

 *‘Development will only be supported where it can be demonstrated that the proposal will not result in:*

1. *Tandem development*
2. *Servicing by an awkward access drive which cannot easily be used by service vehicles*
3. *The generation of excessive levels of traffic*
4. *Loss of residential amenity*
5. *Layouts unable to maintain the particular character of the area in the vicinity of the application site in terms of plot size, plot depth, building footprint, plot frontage width, frontage building line, height, gaps between buildings and streetscape features (e.g. hedges, walls, grass verges etc.)’*

8.3.3 As the site is located within Chorleywood Common Conservation Area Policy DM3 of the Development Management Policies LDD is also relevant which states:

 *‘Within Conservation Areas 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, finished, including those for features such as walls, railings, gates and hard surfacing, that are appropriate to the local context*

*iii) retains historically significant boundaries, important open spaces and other elements of the area’s established pattern of development, character and historic value, including open gardens, roadside banks and verges*

*v) Does not harm important views into, out of or within the Conservation Area*

*vi) Protects trees, hedgerows and other significant landscape features and incorporates landscaping appropriate to the character and appearance of the Conservation Area.’*

8.3.4 The proposed development would result in the demolition of the existing single detached dwelling and detached garage and the construction of two semi-detached two storey dwellings. The dwellings would be served by individual accesses off of Homefield Road and would not result in tandem or backland development.

8.3.5 The proposed development would result in a significant increase in the extent of built form within the site in comparison to the existing building. However, the street scene is characterised by detached, terraced and semi-detached dwellings predominantly two storeys in height with other properties including a lower ground floor level giving the appearance of a three storey structure. Furthermore, the neighbouring properties to the rear consist of two storey structures that are set on significantly higher ground to the application site. As such, the introduction of two storey structures on the site would not appear out of context in relation to the built form within the vicinity of the site.

8.3.6 In relation to the height of the buildings the indicative street scene details that the proposed dwellings would be set approximately 0.8m higher than Keepers Cottage and Clements Cottage to the south. The front aspect of the proposed dwellings would also be set on a lower ground level to that of Keepers Cottage. However, a significant distance of 11m would separate the highest points of the proposed dwelling on Plot 4 and Keepers Cottage. This separation would serve to reduce the prominence of the development within the street scene. The dwellings on Plots 1 and 2 (to the north of the site) would be set higher than that on Plots 3 and 4. However, these would not be read in context with the adjacent built form due to the separation between the application site and neighbouring site to the north. As such, the height of the dwellings would not appear dominant or out of character. It is therefore not considered that the height of the buildings would result in any demonstrable harm to the visual amenities of the street scene.

8.3.7 The Design Criteria set out in Appendix 2 of the Development Management Policies LDD stipulates that the first floor level of two storey development should be set in 1.2m from the flank boundaries. The proposed dwellings would be set in a minimum of 1.8m from the existing flank boundaries and 2.5m would separate the flank elevations of the proposed dwellings which would exceed the 2.4m minimum requirement. As such, the siting of the proposed dwellings would be in accordance with the Design Criteria. It is also considered that adequate spacing would be retained to respect the overall character of Homefield Road.

8.3.8 The proposed buildings would sit forward of the front elevations of the neighbouring dwellings to the south at ground and first floor level but not by a significant or noticeable distance. However, this forward projection is not considered to result in an intrusive or unduly prominent feature within the street scene. Furthermore, the building line to the north of the site is varied as such the proposal would not disrupt the established building line along this part of Homefield Road.

 8.3.9 In terms of impact on the overall character of the area this part of Homefield Road has changed significantly over the recent years. In 2006 planning permission 06/0074/FUL for the demolition of the existing building and construction of a semi-detached dwelling and a detached dwelling on the site was refused including a reason relating to impact on the character of the area. However, subsequently following this refusal, the area has changed significantly with a further three pairs of semi-detached properties constructed including Keepers Cottage and Clements Cottage to the south of the site and Burleigh and Lincoln House to the east. The Cottage, originally a detached dwelling, has also been subdivided to create a semi-detached property. The character of the area has therefore changed significantly since the 2006 refusal on the application site.

8.3.10 The proposed width and depth of the buildings would be greater than that of Keepers Cottage and Clements Cottage. However, the area is characterised by buildings of varied size and scale. The overall width and depth of the buildings would therefore not appear incongruous or obtrusive. Furthermore, the overall plot widths would be comparable to that of the neighbouring properties to the south and the proposed dwellings would be set in a sufficient distance from the flank boundaries as to respect the spacious quality of the surroundings. In addition, the depth of the plots would exceed that of the neighbouring semi-detached properties. The scale of the properties would also not appear disproportionate in comparison to the built form within the vicinity of the site. As such, it is not considered that the proposed development would be of a scale that would appear cramped or contrived when taking into consideration the surrounding development.

8.3.11 Chorleywood Common Conservation Area is characterised by the open and rural qualities of The Common. The Conservation Officer was consulted in relation to the proposed development and raised no objections to the scheme in terms of design or scale. Furthermore, although it is noted that the site is located within Chorleywood Common Conservation Area the site is not directly visible from The Common and is read more in context with the urban development along Orchard Drive rather than The Common. The site is further removed from The Common through the recent development of semi-detached properties sited between the application site and properties further to the east which front The Common. Furthermore, taking into consideration the scale of development that surrounds the site, the density of the proposed development would not appear cramped or impact on the open and rural qualities of The Common or surrounding area.

8.3.12 In terms of design the street scene varies in terms of architectural merits. The proposed design of the buildings would therefore not appear out of character. The dwellings would be served by pitched roof forms which would be in keeping with the surrounding built form. The proposed dormers would be subordinate in scale to the proposed roof forms and would not result in a prominent feature. Concerns have been raised that the proposed development would have an urbanising impact on Homefield Road. Homefield Road does have a sylvan quality however it is residential in nature. The proposed introduction of two pairs of semi-detached dwellings on the site would therefore not result in an urbanising feature within the residential area or introduce a contrived feature.

8.3.13 The proposed dwellings would each be served by individual drives which would be interspersed with soft landscaping. Thus the proposed alterations to the frontage would serve to maintain the sylvan character of the street scene.

8.3.14 In accordance with the aims of the Spatial Strategy of the Core Strategy and make appropriate use of infilling opportunities within the urban area of Key Centres, and having full regard to the material planning considerations of this particular site, it is considered that the development would not result in a form of development that would be inappropriate for the area or in demonstrable harm to the visual amenities of the street scene or the character and appearance of the area and Conservation Area and would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD.

8.4 Impact on Residential Amenity

8.4.1 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 LDD set out that extensions 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.

8.4.2 It is stated within Appendix 2 of the Development Management Policies LDD that:

 *‘In the interests of privacy and to prevent overlooking distances between buildings should be sufficient so as to prevent overlooking, particularly from upper floors. As an indicative figure, 28m should be achieved between the faces of single or two storey buildings backing onto each other or in other circumstances where privacy needs to be achieved.’*

8.4.3The Design Criteria of the Development Management Policies LDD states:

 *‘Two storey development at the rear of properties should not intrude into a 45 degree splay line drawn across the rear garden from a point on the joint boundary, level with the rear wall of the adjacent property.’*

8.4.4 Due to the separation between the application site and neighbouring property to the north the proposed scale of the development would not result in any harm to the residential amenities or unacceptable overlooking of the neighbouring properties to the north. Furthermore, the neighbouring properties to the rear of the site are set on significantly higher ground to the application dwelling. The separation between the properties and land levels differences would prevent the proposed development from resulting in any overlooking or harm to the residential amenities of the neighbouring properties to the east with the rear of the proposed dwellings set over 28m from the front of these neighbours.

8.4.5 The proposed dwellings would project beyond the rear elevation of Keepers Cottage. However, the proposal would not intrude the 45 degree splay line taken from the rear elevation of Keepers Cottage at a point on the joint boundary. Furthermore, the deepest aspect of the proposed dwelling on Plot 4 would be at single storey level only. The rear elevation of Keepers Cottage angles away from the common boundary with the application site thus a greater separation is achieved between the rear elevations of the proposed dwelling and neighbouring dwelling. Taking this into consideration and that the proposed development would not be significant in depth relative to Keepers Cottage the proposed development would not result in any unacceptable loss of light or harm to the visual amenities of this neighbouring dwelling. Keepers Cottage contains windows in the flank elevation facing the application site. The planning history of the site details that these windows are secondary windows and the first floor window is obscure glazed with restricted opening. The proposed loft accommodation would be set in from the common boundary with Keepers Cottage, thus the scale of the development would not result in a dominant or oppressive feature.

8.4.6 The windows to be inserted within the front and rear elevations would not result in any unacceptable overlooking of the surrounding neighbouring properties. Furthermore, the first floor windows to be inserted within the flank elevations of the development would be conditioned to be obscured glazed and top level opening only. In addition, the ground floor flank windows in the south elevation would also be conditioned to be obscure glazed and top level opening only to prevent any overlooking of Keepers Cottage.

8.4.7 It is considered that the proposed dwellings would have an acceptable relationship as to protect the residential amenities of the future occupants of the site.

8.4.8 To protect the amenities of the neighbouring properties permitted development rights would be removed in relation to further extensions to the dwelling and the construction of outbuildings.

8.4.9 The proposed development would therefore not result in any demonstrable harm to the residential amenities of the surrounding neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

8.5 Landscaping & Trees

8.5.1 There are a number of trees within and adjacent to this site which are protected by the Three Rivers (Homefield Road, Chorleywood) Tree Preservation Order 2012 (TPO761). This application is supported by an Arboricultural and Planning Integration Report (ref: GHA/DS/14460:16) prepared by G.H.A. Trees which has been prepared in accordance with BS:5837-2012 ‘Trees in Relation to Design, Demolition and Construction’. This application requires the removal of a mature Sycamore to facilitate the construction of the most northerly unit on the site. This tree is protected as Tree 16 of TPO761.

8.5.2 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. In relation to the retention of protected trees Policy DM6 ‘Biodiversity, Trees, Woodlands, Watercourses and Landscaping’ states:

 *‘ii) Development proposals on sites which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible, particularly those of local amenity or nature conservation value or hedgerows considered to meet the criteria of the Hedgerow Regulations 1997.*

 *Iv) Development should be designed in such a way as to allow trees and hedgerows and woodlands will be safeguarded and managed during and after development in accordance with the relevant British Standards.*

*v) Planning permission will be refused for any development resulting in the loss or deterioration to protected woodland, protected trees (including aged and veteran trees) and hedgerows unless conditions can be imposed to secure their protection.’*

8.5.3 The NPPF details that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweighs the loss.

8.5.4 The Landscape Officer noted that the scheme still proposes the removal of the protected Sycamore tree however identified that the scheme would result in the planting of three Sycamores in place of the existing Sycamore. The Landscape Officer raised no objections to the replacement planting however advised that a different species such as Maple would be more appropriate for the area. The Landscape Officer also advised that further information regarding the size of the replacement trees would be required to be submitted. The Landscape Officer also confirmed that the tree protection scheme as submitted is acceptable. Thus, subject to conditions no objections are raised to the proposed development in relation to impact on the protected trees. The proposed development would therefore retain the sylvan character of the area.

8.5.5 The Landscape Officer did not raise any objections in relation to whether there would be future pressure to fell or lop the trees along the boundaries of the site. The protected trees would be sited a sufficient distance from the dwellings as to not result in a dominant or oppressive feature.

8.5.6 It is noted that the Landscape Officer confirmed that the protection measures submitted are considered acceptable. However, it is also important that the protected trees along north west of Homefield Road are also protected during the course of the development and details of their protection should be submitted via condition.

8.5.7 The Landscape Officer has also requested that a no felling or lopping condition be attached to any planning permission. As the trees within the site are either protected or are protected by the Conservation Area status of the site permission would be required to be sought for any further works to the trees to be retained. As such, this condition is not considered reasonable.

8.6 Amenity Space Provision

8.6.1 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. Section 3 (Amenity Space) of Appendix 2 of the Development Management Policies LDD sets out indicative amenity space standards and advises that three bedroom dwellings should be served by an indicative amenity space provision of 84sq.m.

8.6.2 The proposed gardens would each have an area of approximately 174sq.m which would exceed the standards as set out in the Development Management Policies LDD. The land levels of the site rise up to the rear however a level aspect would be sited to the rear of the dwellings and a rise in land levels is not an uncommon feature. As identified in the section above both Plots 1 and 4 would contain trees along the flank boundaries. Plots 1 and 4 would be the wider plots with Plot 1 being the widest where the vegetation would be dense. The trees would not dominate the proposed dwellings and it is considered that the size of the units would be sufficient to prevent the vegetation from resulting in a dominant and oppressive feature on the proposed amenity space provisions.

8.7 Highways, Parking & Access

8.7.1 Policy CP10 of the Core Strategy sets out that development will need to demonstrate that it provides a safe and adequate means of access and requires development to make adequate provision for all users, including car parking, giving priority to people with mobility difficulties, pedestrians, cyclists and equestrians.

8.7.2 The proposed development would not result in any alterations to the existing access onto Orchard Drive however it would result in the introduction of four vehicular accesses onto Homefield Road. Homefield Road at the point of the application site is narrow and there would be no onsite facilities to turn and within the proposed site. However, Homefield Road is a private road and the northern portion of the road serves only a few properties. The introduction of four additional units along this part of the road is therefore unlikely to result in unacceptable harm to the existing users of Homefield Road.

8.7.3 Concerns have been raised that Homefield Road could not cope with the additional traffic generated by the proposed development. An updated access to Orchard Drive has been implemented which the application site is sited close to. It would be reasonable to assume that persons accessing the site would utilise the adjacent access off of Orchard Drive thus leading to less disturbance to existing residents to the south of Homefield Road. The Highways Officer raised no objections to the scheme in terms of impact on highway safety.

8.7.4 Each dwelling would contain three bedrooms and would be served by two parking spaces one on the drive and one garage space. Policy DM13 and Appendix 5 of the Development Management Policies LDD stipulates that three bedroom dwellings should be served by 2.25 spaces. Each unit would have a shortfall of 0.25 spaces. However the site is located within easy walking distance to the train station providing links to Rickmansworth, Watford and London and the site is within walking distance to the services provided along Lower Road and Main Parade. The site is considered to be situated within a sustainable location thus the shortfall of 0.25 spaces per unit would not justify a reason for refusal. Taking into consideration the on-site parking, Permitted Development rights would be removed in relation to further accommodation within the roofspace and any planning permission would include a condition restricting the use of the garages.

8.8 Sustainability

8.8.1 Policy DM4 of the Development Management Policies LDD states that from 2016, 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 is yet to provide a definition for zero carbon and the Council is therefore continuing to apply the 2013 requirements, i.e. applicants will be required to demonstrate that development will produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability.

8.8.2 The Design and Access Statement refers to sustainability measures and states:

 ‘*In order to meet the requirements of Development Management Policy DM4, the proposed development will incorporate on-site renewable technology. This, depending on a full assessment of its viability together with advice from a suitably qualified SAP assessor prior to construction, may take the form of one/more of the following systems: PV, Solar, ASHP, or wood burning stoves.’*

8.8.3 The statement identifies that SAP calculations have not been undertaken in relation to the proposed development. As such, any planning permission would include a condition that an Energy Statement including details of any renewable energy technologies must be submitted to the Local Planning Authority prior to the commencement of works. This would ensure that the works are carried out in accordance with Policy CP1 of the Core Strategy and Policy DM4 of the Development Management Policies LDD.

8.9 Affordable Housing & Infrastructure Contributions

8.9.1 The proposed development would result in a net gain of three residential units. Policy CP4 of the Core Strategy requires development that would result in a net gain of one or more dwellings to contribute to the provisions of affordable housing. The Affordable Housing SPD was approved by the Council in June 2011 as a material consideration and supports the implementation of Policy CP4.

8.9.2 However, an appeal decision overturning the previous High Court judgement giving legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 by Brandon Lewis has been issued. The NPPG has therefore been updated at paragraph 31 to advise that contributions should not be sought from developments of 10-units or fewer with a maximum combined gross floor space of no more than 1,000sq.m. As a result, the Local Planning Authority will no longer be requiring contributions towards affordable housing for sites which are below these thresholds.

8.9.3 The proposed development would result in a net gain of three residential dwellings and would not exceed 1,000sqm of floor space across the site. As such, the Council is not seeking any contributions in connection with the proposed development.

8.9.4 Policy CP8 of the Core Strategy requires development to make adequate contribution to infrastructure and services. The Three Rivers Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on 1 April 2015. CIL is therefore applicable to this scheme. The Charging Schedule sets out that the application site is within ‘Area A’ within which the charge per sq.m of residential development is £180.

8.10 Wildlife & Biodiversity

8.10.1 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.

8.10.2 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 LDD. 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.

8.10.3 Herts Ecology were consulted in relation to the proposed development who advised that the application site sits within a 500m buffer zone of a known breeding population of great crested newts (GCN). Herts Ecology confirmed that in light of the Ecologist’s findings no objections are raised to the proposed development in terms of impact on any protected species. Herts Ecology therefore raised no objections to the proposed development subject to informatives.

8.11 Environmental Protection & Sewerage Capacity

8.11.1 The site is already served by the refuse trucks. Although the proposed development would intensify the use of the site considering that the site is already served by refuse services the proposal would continue to be served by the existing refuse collection. The individual units would each be capable of storing the refuse collection bins and boxes without impacting on the visual amenities of the area or obstructing the highway.

8.11.2 Thames Water has advised that with regard to sewerage infrastructure capacity they hold no objection and in terms of surface water drainage it is the developer’s responsibility to make proper provision for drainage to ground, water courses or a suitable sewer. An informative would therefore be attached to any planning permission.

9. **Recommendation**

9.1 That PLANNING PERMISSION BE GRANTEDsubject 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: 1247/P2/1B, 1247/P2/2B, 1247/P2/3, 1247/P2/4B, 1247/P2/5, 1247/P2/6, 1247/P2/7, 1247/P2/8A, 1247/P2/9A.

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the locality and residential amenity of neighbouring occupiers, in accordance with Policies PSP2, CP1, CP2, CP3, CP4, CP8, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM4, DM6, DM8, DM10 and DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013), Policy SA1 of the Site Allocations LDD (adopted November 2014) and the Chorleywood Common Conservation Area Appraisal (adopted February 2010).

C3 Prior to commencement of the development hereby permitted, an Energy Statement demonstrating energy saving measures for the development to achieve 5% less carbon dioxide emissions than Building Regulations Part L requirements (2013) and details and plans of any proposed renewable energy technologies shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the development and permanently maintained thereafter.

Reason: This condition is a pre commencement condition in the interests of amenity and in order to ensure that the development will meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3, DM4 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and to make as full a contribution to sustainable development principles as possible.

C4 Prior to the commencement of the development hereby permitted, plans showing the existing and proposed ground levels, the slab level of the proposed buildings(s) and slab level of the adjacent buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: This is a pre commencement condition to ensure that the proposed development is built to the heights relative to adjoining properties as shown on the approved drawings, or lower, in the interests of visual amenity and to meet the requirements of 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).

C5 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.

All hard and soft landscaping works required by the approved scheme shall be carried out completed prior to the first occupation of the development hereby permitted and the soft landscaping 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 is a pre-commencement condition 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 Policies DM3 and DM6 of the Development Management Policies LDD (adopted July 2013).

C6 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. These details should include the protection of the trees and hedges to the north west side of Homefield Road.

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. 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: This is a pre-commencement condition 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).

C7 Before any building operations above ground level hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

Reason: To prevent the buildings being constructed in inappropriate materials 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).

C8 All proposed construction vehicle access, movements, parking arrangements and wheel washing facilities shall be carried out in accordance with the approved details as shown on Plan 1247/P2/9A. All construction works should enter Homefield Road via the access along Orchard Drive.

Reason: To minimise danger, obstruction and inconvenience to users of the highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C9 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 B – addition or alteration to the roof

 Class C – any other alteration to the roof

 Class E – buildings incidental to the enjoyment of a dwellinghouse

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 area in general, in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

C10 The parking hereby permitted, including the garages, shall be kept available for the parking of motor vehicles at all times. The parking shall be used solely for the benefit of the occupants of the dwelling of which it forms part and their visitors and for no other purpose and permanently retained as such thereafter.

Reason: In the interests of visual amenities of the area and to ensure that on-site car parking provision is maintained to avoid the standing of vehicles on the adjoining highway to the detriment of safety and the free flow of traffic thereon and in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

C11 Before the first occupation of the development hereby permitted the window(s) the first floor windows in the flank elevations of the dwelling shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

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

C12 Before the first occupation of the dwelling on Plot 4 hereby permitted the window(s) the ground floor windows in the south flank elevation of this dwelling shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

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

C13 The boundary treatment as show on Plan 1247/P2/1B shall be erected prior to occupation in accordance with the approved details and shall be permanently maintained as such thereafter.

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

9.2 **Informatives**

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

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £97 per request (or £28 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. The Council's Building Control section can be contacted on telephone number 01923 727132 or at the website above for more information and application forms.

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. Information on this is also available from the Council's Building Control section. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

I2 The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

I3 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the District.

I4 It is the responsibility of a developer to make provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

I5 The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage, or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

I6 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. A list of bat consultants can be obtained from Hertfordshire Ecology on 01992 555220).

I7 The area of grass around the proposed development site should be mown/strimmed as short as possible before and during construction to ensure it remains/becomes unfavourable for great crested newts and reptiles;

Stored materials (that might act as temporary resting places) should be raised off the ground e.g. on pallets or batons; and any rubbish is cleared away to minimise the risk of great crested newts or reptiles using the piles for shelter;

Trenches or excavations should be backfilled before nightfall or a ramp left to allow great crested newts or reptiles to escape;

Building work should (ideally) be carried out during April-June, when great crested newts are more likely to be found in ponds and less likely to be found on site;

If great crested newts or reptiles are found, work must stop immediately and ecological advice taken on how to proceed lawfully from Natural England (0300 060 3900) or an ecological consultant.