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**PLANNING COMMITTEE****MINUTES**

At a meeting of the Planning Committee held in the Penn Chamber, Three Rivers House, Northway, Rickmansworth, on 13 September 2018 from 7.30pm to 9.20pm.

Councillors present:

Chris Lloyd (Vice Chairman in the Chair)	Sarah Nelmes (Chair but not in the Chair)
Sara Bedford	Rupert Barnes (substitute for Cllr Alex Hayward)
Diana Barber	Steve Drury
Stephen Cox (substitute for Cllr Stephen King)	Debbie Morris
Peter Getkahn	Marilyn Butler (substitute for Cllr Reena Ranger)
David Major	

Also in attendance: Councillors Joanna Clemens, Alison Scarth, Andrew Scarth, Abbots Langley Parish Councillor Owen Roe, Chorleywood Parish Councillor Raj Khiroya, Croxley Green Parish Councillor Andrew Hobbs and Batchworth Community Councillor François Neckar.

Officers: Claire Westwood, Adam Ralton, Suzanne O'Brien and Sarah Haythorpe.

The Vice-Chairman announced he would be Chairing the meeting tonight.

**Vice Chairman, Councillor Chris Lloyd in the Chair.**

**PC 62/18 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Alex Hayward, Stephen King and Reena Ranger with named substitute Members being Councillors Rupert Barnes, Marilyn Butler and Stephen Cox.

**PC 63/18 MINUTES**

The Minutes of the Planning Committee meeting held on 16 August 2018 were confirmed as a correct record and were signed by the Vice-Chairman in the Chair.

**PC 64/18 NOTICE OF OTHER BUSINESS**

None.

**PC 65/18 DECLARATIONS OF INTEREST**

Councillors Debbie Morris declared a non-pecuniary interest in agenda item 9 (18/1359/FUL - Enlargement of three dormer windows to front roofslope, addition of dormers to both flank elevations and internal changes to loft layout at DINKY DOT, 20 ASTONS ROAD, MOOR PARK, HA6 2LD) as she knew the applicant.

Councillor David Major declared a non-pecuniary interest in agenda item 7 (18/1259/OUT – Outline Application: Demolition of existing dwelling, associated outbuildings and commercial buildings and erection of six detached dwellings and garages (landscaping and appearance reserved) and alterations to access at DAIMAR, BEDMOND ROAD, BEDMOND, HERTS, WD5 0QE as a Member of the Abbots Langley Parish Council Planning Committee but would be entitled to stay and vote as he:

- has an open mind about the application;
- is not bound by the views of the Parish Planning Committee; and
- can deal with the application fairly and on its merits at Committee

Councillor Chris Lloyd read out the following statement to the Committee:

“All Members are reminded that they should come to meetings with an open mind and be able to demonstrate that they are open minded. You should only come to your decision after due consideration of all the information provided, whether by planning officers in the introduction, by applicants/agents, by objectors or by fellow Councillors. The Committee Report in itself is not the sole piece of information to be considered. Prepared speeches to be read out are not a good idea. They might suggest that you have already firmly made up your mind about an application before hearing any additional information provided on the night and they will not take account of information provided on the night. You must always avoid giving the impression of having firmly made up your mind in advance no matter that you might be pre-disposed to a view.”

**PC 66/18 18/1072/FUL - Demolition of the existing dwelling and construction of a replacement dwelling with associated hard and soft landscaping at 29 BEDFORD ROAD, MOOR PARK, HA6 2AY**

Further comments had been received from Moor Park 1958 Ltd who noted the amendments made but considered that the matter of trees/landscaping was unresolved and the retention of one additional silver birch tree did not address the concerns. They consider the loss of trees would adversely affect the Conservation Area.

Councillor Steve Drury concurred with Moor Park 1958 that the retention of just one Silver Birch tree was not sufficient.

Councillor Sarah Nelmes welcomed the fountain being removed as it would be out of keeping in the area.

The Planning Officer advised that 13 trees were to be removed with 9 being category C trees of low value and the other 4 being category U trees. Officers had spoken to the Landscape Officer again who stated the condition requiring the applicant to submit details on the hard and soft landscaping was sufficient and had raised no objection.

Councillor Debbie Morris said the retention of the silver birch tree at the front was appreciated. Some trees were not worth saving but different variations of trees should be considered. The ornamental trees proposed would only be attractive for half of the year. The new trees would introduce symmetrical landscaping to the site. The trees should be planted in groups and not in strict lines. She asked if Condition C8 could be amended to include a less symmetrical scheme of trees. The Planning Officer stated that Condition C8 required details to be submitted on the landscaping and noted the comments made. An additional informative could be added to be read in conjunction with Condition C8. The Landscape Officer had advised that the trees were not worthy of protection by way of a TPO. An

application could be made to undertake works to the trees as they were not of sufficient quality to be retained.

Councillor Diana Barber referred to Paragraph 5.1.1 which provided details on the trees proposed for removal and suggested they should be replaced with native trees or fruit trees. The Planning Officer advised that this point could also be incorporated within the additional Informative.

Councillor Rupert Barnes asked how the application was different from that already granted permission. The Planning Officer stated that as set out in the report there had been minor changes to the building design, changes to the landscaping and hardstanding and fenestration. The fountain had been removed to be replaced with a low level pond and the additional hardstanding to the frontage had also been omitted.

Councillor Sarah Nelmes moved, seconded by Councillor David Major, that Planning Permission be Granted subject to conditions with an additional informative regarding landscaping to be added in conjunction with Condition C8 with details circulated to the Committee for approval.

Ward Councillor Joanna Clemens asked for clarification on the paint for the pediment. The Planning Officer advised that this had been removed prior to the last meeting and that details on the samples of the materials would need to be submitted.

Councillor Debbie Morris asked if reference to soft landscaping in Condition C8 included new trees. The Planning Officer confirmed it did.

On being put to the Committee the motion was declared CARRIED by the Vice-Chairman in the Chair the voting being unanimous.

RESOLVED:

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

- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

- C2 The development hereby permitted shall be carried out in accordance with the following approved plans: TS16-450L/1, NL18.17 REV A, NL18.05 REV M, NL18.04 REV M, NL18.02 REV M, NL18.01 REV M, 5447-V2 PL010, 5447-V2 PL008, 5447-V2 PL007, 5447-V2 PL006, 5447-V2 PL005 REV A, 5447-V2 PL004 REV A, 5447-V2 PL003 REV A, 5447-V2 PL002, 5447-V2 PL001-SITE REV D, 5447-PL-LP

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

- C3 Before above ground building operations hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

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

- C4 Before the first occupation of the dwelling hereby permitted the flank windows above ground level shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the windows are installed. The windows shall be permanently retained in that condition thereafter.

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

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

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

- C6 The development hereby permitted shall be implemented in accordance with the details of the submitted Energy Statement. The approved details shall be implemented prior to the first use of the development and permanently maintained thereafter.

Reason: To ensure that the development meets the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM4 of the Development Management Policies LDD (adopted July 2013) and to make as full a contribution to sustainable development principles as possible.

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

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

- C8 Notwithstanding the submitted details, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development.

All hard landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted. All soft landscaping works required by the approved scheme shall be carried out in accordance with a programme to be

agreed before development commences and shall be maintained including the replacement of any trees or plants which die are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species, for a period for five years from the date of the approved scheme was completed.

Reason: This condition is a pre commencement condition in the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

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

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

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

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

Part 1

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

Class C - other alterations to the roof

Class D - porches

Class E - provision of any building or enclosure

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

Reason: To ensure adequate planning control over further development having regard to the limitations of the site and neighbouring properties and in the interests of the visual amenities of the site and the Moor Park Conservation Area, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and the Moor Park Conservation Area Appraisal (2006).

Informatives:

- I1 With regard to implementing this permission, the applicant is advised as follows:
- All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.
- There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at [buildingcontrol@hertfordshirebc.co.uk](mailto: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](http://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.
- I2 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.
- 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 Local Planning Authority suggested modifications to the development during the course of the application and the applicant submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- I4 Due to the presence of National Grid apparatus in proximity to the application site, the Applicant should contact National Grid before any works are carried out to ensure National Grid apparatus is not affected by any of the proposed works. Further 'Essential Guidance' can be found on

the National Grid website at [www.nationalgrid.com](http://www.nationalgrid.com) or by contacting National Grid on 0800688588.

- 15 Bats are protected under domestic and European legislation where, in summary, it is an offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in a roost or deliberately disturb a bat in a way that would impair its ability to survive, breed or rear young, hibernate or migrate, or significantly affect its local distribution or abundance; damage or destroy a bat roost; possess or advertise/sell/exchange a bat; and intentionally or recklessly obstruct access to a bat roost.

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

The UK Bat Helpline: 0845 1300 228

Natural England: 0300 060 3900

Herts & Middlesex Bat Group: [www.hmbg.org.uk](http://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).

- 16 The applicant is advised that, in respect of the details required to be submitted pursuant to Condition 8, such details should ensure a variety of species are included in the interests of the character and appearance of the Conservation Area and regard should also be had to the comments of Hertfordshire Ecology in relation to the inclusion of native species.

**PC 67/18 18/1109/FUL – Removal of existing livery yard buildings and erection of detached dwelling with parking and garden at LAND SOUTH OF OLD HOUSE LANE, OLD HOUSE LANE, LANGLEYBURY, HERTS, WD4 9AA**

The Planning Officer reported that two additional conditions were proposed, one requiring details of refuse storage facilities to be submitted to the LPA for approval and the second requiring details of energy saving and renewable energy technology to be submitted for approval.

Sarratt Parish Council had requested that the application should be refused. In July 2017 approval had been given to build a bungalow under delegated powers although the Parish Council had called in the application to the Committee but this was ignored. There had been no objections raised as there were no neighbours. The granting of this application would set a precedent for the livery businesses in Sarratt that sheds, stables and agricultural buildings could be converted into houses.

Councillor Marilyn Butler said this was a unique site on a very narrow lane, with difficult access and would be an imposition on the Green Belt. This was not a conversion of an agricultural building and there had been an unfortunate administration error last year when the application had not come to the Committee after being called in by the Parish Council.

Councillor Sarah Nelmes said the removal of the falling down buildings to be replaced with a barn like house was, whilst not the same, a site which already had buildings on it.

Councillor Marilyn Butler reiterated the site was in the Green Belt and no precedent had been set to build a house.

Councillor Peter Getkahn said the site was near to the M25. Councillor Marilyn Butler said the site was the other end of the lane and that farmland was situated around the site and you could not see the M25.

Councillor Chris Lloyd made reference to the planning history which was a material planning consideration.

The Planning Officer said that planning permission had been granted for a dwelling and regard had to be had for this. The changes made with this application were minor changes and were considered acceptable.

Councillor Marilyn Butler was concerned that mal administration had taken place when planning permission had previously been granted. The Planning Officer stated that they were unable to comment on the details, but planning permission did exist and the planning history was a material planning consideration. Whilst concerns regarding the previous process were noted, Members had not provided planning grounds for the refusal of the current application.

Councillor Sara Bedford said there had not been mal administration and no doubt there would have been a strong recommendation for approval and this application was not setting a precedent. She referred to a recent application in Abbots Langley at Mansion House Farm which was in the Green Belt.

Councillor Marilyn Butler said this was a unique site with no houses around.

The Planning Officer understood the points made but was not able to comment on the previous situation but the application would have come to the Committee with a recommendation for approval. If the Committee were minded to refuse the application there would need to be clear planning grounds for refusal and not administration issues.

Councillor Diana Barber asked if permission was granted could the rest of the land be protected from any further development.

The Planning Officer said the local development plan protects land in the Green Belt and it would be necessary to submit a planning application for any further development which would need to meet the requirements of the development plan. In relation to permitted development rights for the proposed dwelling a condition removing these was included in the recommendation to the Committee.

Councillor Sarah Nelmes proposed, seconded by Councillor David Major, that Planning Permission be Granted with the additional of 2 further conditions regarding refuse and sustainability.

Councillor Debbie Morris asked about the proposed hardstanding changes. The Planning Officer said on the submitted drawings the hardstanding would be a shingle with details required to be submitted.

On being put to the Committee the motion was declared CARRIED by the Vice-Chairman in the Chair the voting being 7 For, 1 Against and 3 Abstentions.

RESOLVED:

That the decision be delegated to the Director of Community and Environmental Services to GRANT PLANNING PERMISSION subject to the following conditions / and subject to the completion of a Section 106 Agreement:

- 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: 17-925-P-01.

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the locality, the openness of the Green Belt and residential amenity of neighbouring occupiers, in accordance with Policies CP1, CP2, CP3, CP4, CP8, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2, DM4, DM6, DM7, DM10 and DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

- C3 The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and facilities for mud and dust control have been submitted to and approved in writing by the Local Planning Authority. The relevant details shall be submitted in the form of a Construction Management Plan and the approved details shall be implemented throughout the construction programme.

Reason: This is a pre-commencement condition in order to minimise danger, obstruction and inconvenience to users of the adjacent highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

- C4 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development.

All hard 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, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2 and DM6 of the Development Management Policies LDD (adopted July 2013).

- C5 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, CP11 and CP12 of the Core

Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C6 No development shall commence until full details (in the form of scaled plans and written specifications) have been submitted and approved in writing by the Local Planning Authority to illustrate the following:

Surface water drainage. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: This condition is a pre commencement condition in the interests of highway safety to minimise danger, obstruction and inconvenience to highway users in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

- C7 Prior to occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment 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 openness of the Metropolitan Green Belt and the character of the locality in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C8 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

Class F - hard surfaces incidental to the enjoyment of a dwellinghouse

Part 2

Class A - a gate, fence, wall or other means of enclosure

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

Reason: To ensure adequate planning control over further development having regard to the limitations of the site and in the interests of the visual amenities of the site and the area in general, in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and DM2 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C9 The development shall not be occupied until a scheme for the separate storage and collection of domestic waste has been submitted to and approved in writing by the Local Planning Authority. Details shall include siting, size and appearance of refuse and recycling facilities on the premises. The development hereby permitted shall not be occupied until the approved scheme has been implemented and these facilities should be retained permanently thereafter.

Reason: To ensure that satisfactory provision is made, in the interests of amenity and to ensure that the visual appearance of such provision is satisfactory in compliance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM10 and Appendix 2 of the Development Management Policies document (adopted July 2013).

- C10 Prior to the commencement of development hereby permitted, plans and details of the energy saving measures shall be submitted to and approved in writing by the Local Planning Authority. The approved details and energy saving measures detailed within the submitted Energy Statement shall be implemented prior to occupation of the development and permanently maintained thereafter.

Reason: This condition is a pre commencement condition to ensure that the development meets the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM4 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

Informatives:

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

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

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at [buildingcontrol@hertfordshirebc.co.uk](mailto: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](http://www.hertfordshirebc.co.uk).

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) for self-build housing) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start

your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

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

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

12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

13 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](http://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).

14 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.

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

- I6 Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
- I7 The applicant is reminded that this planning permission is subject to either a unilateral undertaking or an agreement made under the provisions of Section 106 of the Town and Country Planning Act 1990.

**PC 68/18 18/1259/OUT – Outline Application: Demolition of existing dwelling, associated outbuildings and commercial buildings and erection of six detached dwellings and garages (landscaping and appearance reserved) and alterations to access at DAIMAR, BEDMOND ROAD, BEDMOND, HERTS, WD5 0QE**

Councillor Sara Bedford said she did not object to the principle of redevelopment of the site but not as far back, as this would be very close to the M25.

Councillor David Major moved, seconded by Councillor Debbie Morris, that Planning Permission be Refused.

On being put to the Committee the Motion was declared CARRIED by the Vice-Chairman in the Chair the voting being unanimous.

RESOLVED:

That PLANNING PERMISSION BE REFUSED for the following reasons:

- R1 The proposed development, by virtue of the height, bulk and massing of the buildings and intensification of use of the site, would result in significant greater harm to the openness of the Green Belt than that of the existing residential buildings and commercial use of the site. The proposed development would therefore constitute inappropriate development and would result in significant actual harm to the openness of the Green Belt. No very special circumstances exist to outweigh the harm to the Green Belt by virtue of its inappropriateness and actual harm and the development is contrary to Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (adopted July 2013) and the National Planning Policy Framework.
- R2 The proposed development fails to meet the requirements of Policy CP4 of the Core Strategy (adopted October 2011) and SPD: Affordable Housing (approved June 2011) in that the scheme would not provide policy compliant affordable housing and it has not been demonstrated that it would not be viable to meet policy requirements for affordable provision; a S106 Agreement has not been agreed to secure provision; and the proposed housing mix would fail to meet the requirements of Policy CP3 of the Core Strategy (adopted October 2011) and no evidence or justification has been provided to support the proposed housing mix.

Informative:

- 11 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 has considered, in a positive and proactive manner, whether the planning objections to this proposal could be satisfactorily resolved within the statutory period for determining the application. Whilst the applicant and the Local Planning Authority engaged in pre-application discussions, the proposed development fails to comply with the requirements of the Development Plan and does not maintain/improve the economic, social and environmental conditions of the District.

**PC 69/18 18/1296/OUT - Outline Application: Erection of up to 70 dwellings (Use Class C3) and a 75 bed care home (Use Class C2), with associated new access (appearance, landscaping, layout and scale reserved) at FORMER LITTLE FURZE JUNIOR MIXED INFANTS SCHOOL, GOSFORTH LANE, SOUTH OXHEY, WATFORD, HERTFORDSHIRE, WD19 7RE**

Councillor Sarah Nelmes said having been on the site visit it was very attractive site which could not be left as it was. It was a sustainable site near to the shops and other local facilities. There was capacity at the local primary schools and a new local secondary school could be built. The drainage on the site would be improved.

Councillor Sara Bedford said this application was only considering the principle of the development and access only. This was an indicative plan only.

Councillor Stephen Cox asked about the 15m buffer which he would like to see in place on the substantive plan. Would the 15m buffer be to the edge of wood, to the back garden or the building line and could this be grounds for refusal of any application. In Paragraph 4.1.2 it stated refuse vehicles access could not be achieved and more definitive detail was required. The Planning Officer stated that this application was only for the indicative layout and reserved matters may be different. A 15m buffer would be provided on the eastern side and southern boundary and was shown on the indicative site plan. The indicative site plan also demonstrated that turning for refuse vehicles could be provided.

Councillor Debbie Morris asked if more public open space would be created by the development.

Councillor Rupert Barnes asked for clarification on the drainage of the site by the flood authority. The Planning Officer advised that Conditions C6 and C7, C8 and C9 on flood risk assessment and drainage would require further details to be provided.

In accordance with Council Procedure Rule 35(b) Mr L Cox spoke against the application and Mr Wood spoke in favour of the application.

Councillor Sara Bedford would like to see some smaller dwellings incorporated in along with affordable dwellings. The Planning Officer advised that Condition C4 required the submission of further details, including in relation to the size of the units.

Councillor Sarah Nelmes had a preference that the affordable housing be created throughout the development.

Councillor Debbie Morris noted that this was only indicative capacity at this time and would welcome a lower density of population.

Councillor Sara Bedford moved, seconded by Councillor Sarah Nelmes, that Outline Planning Permission be Granted subject to conditions.

On being put to the Committee the motion was declared CARRIED by the Vice-Chairman the voting being unanimous.

RESOLVED:

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

- C1 An application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall commence before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

- C2 The access hereby permitted shall be carried out in accordance with the following approved plans: 70-002 P8. The plans are approved only in so far as they relate to the siting of the access.

Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies PSP2, CP1, CP2, CP3, CP4, CP8, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM2, DM3, DM4, DM6, DM7, DM8, DM9, DM10, DM11, DM12, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and Policy SA1 of the Site Allocations LDD (adopted November 2014).

- C3 Application for approval of the reserved matters referred to in Condition 1 above shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

- C4 No development shall take place until a scheme for the provision of Affordable Housing to be constructed on the site pursuant to the planning permission has been submitted to and approved in writing by the Local Planning Authority. The Affordable Housing shall be provided in accordance with the approved scheme. The scheme shall include:

- i. the numbers, type and size, tenure and location of the Affordable Housing to be constructed on the site which shall not consist of less than 30% of the total number of the Dwellings permitted, of which 71%

- ii. shall be constructed and Provided as Social Rented Dwellings and 29% shall be constructed and Provided as Shared Ownership Dwellings;
- iii. the timing of the construction of the Affordable Housing and its phasing in relation to the occupancy of the Market Housing;
- iv. the arrangements for the transfer of the Affordable Housing to an Affordable Housing Provider or the arrangements for the management of the Affordable Housing if those dwellings are not to be transferred to a Affordable Housing Provider;
- v. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the Affordable Housing; and
- vi. the occupancy criteria to be used for determining the identity of occupiers of the Affordable Housing and the means by which such occupancy criteria shall be enforced.
- vii. the timing of the completion of a Nominations Agreement to be entered into formalising the details to be agreed in respect of paragraphs (iv) and (v) above (in any event that Nominations Agreement to be completed prior to first Occupation of the Affordable Housing)
- viii. the arrangements for the use of any Net Proceeds following the sale of an interest in any of the Affordable Housing (in accordance where applicable with Homes and Communities Agency guidance)

The Affordable Housing shall be provided in accordance with the approved scheme. The dwellings constructed shall not be used for any other purpose than as Affordable Housing in accordance with that approved scheme, subject to:

- (A) any rights to acquire pursuant to the Housing Act 1996 or any equivalent statutory provision for the time being in force;
- (B) any right to buy pursuant to the Housing Act 1985 or any equivalent statutory provision for the time being in force;
- (C) where a tenant of a Shared Ownership Dwelling granted a Shared Ownership Lease has purchased the remaining shares so that the tenant owns the entire Shared Ownership Dwelling).
- (D) the restriction upon the use and disposal of the Affordable Housing shall cease to apply to the whole or any part of an Affordable Dwelling (hereafter referred to as the 'Affected Affordable Dwelling') where that whole or part is transferred or leased, pursuant to an event of default by any mortgagee or chargee of the Affordable Housing Provider or the successors in title to such mortgagee or chargee, or by any receiver or manager (including an administrative receiver) appointed pursuant to the Law of Property Act 1925 (hereafter referred to as the "Chargee"), PROVIDED THAT:
  - (i) the Chargee has first given the Council and the Affordable Housing Provider (as appropriate) 4 (four) months prior notice in writing (the "Chargee's Notice") of its intention to exercise any power of sale or lease in respect of any Affected Affordable Dwelling; and
  - (ii) the Chargee has first given the Council or the Affordable Housing Provider the opportunity to complete a transfer of the Affected Affordable Dwelling in order to ensure that it continues to be used for the purposes of Affordable Housing. The Chargee's Notice shall not be a valid Chargee's Notice unless it is accompanied by a conveyancer's certificate signed and dated by the conveyancer and confirming that, at the date of the notice, the Chargee giving the notice is entitled to execute a transfer of the freehold of the Affected Affordable Dwelling and all land required to gain access to the Affected Affordable Dwelling from the public highway; and
  - (iii) the price for the purchase of the Affected Affordable Dwelling by the Council or the Affordable Housing Provider demanded by the Chargee shall not be permitted to exceed the market value of the



Affected Affordable Dwelling at the date of the transfer on the valuation assumption that it is to be retained in perpetuity as Affordable Housing.  
(iv) If the Council or the Affordable Housing Provider is unable to secure the transfer of the Affected Affordable Dwelling to itself under the terms and in the circumstances described above within the said period of 4 (four) months in accordance with sub-paragraph (i) above then the Chargee shall be entitled to dispose of the Affected Affordable Dwelling on the open market not subject to the condition above that it shall not be used for any other purpose than as Affordable Housing.

Reason: This is a pre commencement condition to meet local housing need within the Three Rivers district and to comply with Policies CP1, CP2, CP3 and CP4 of the Core Strategy (adopted October 2011) and the Affordable Housing SPD (approved July 2011).

- C5 No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include full details of:
- a. Construction vehicle numbers, type, routing;
  - b. Traffic management requirements;
  - c. Construction and storage compounds (including areas designated for car parking);
  - d. Siting and details of wheel washing facilities;
  - e. Cleaning of site entrances, site tracks and the adjacent public highway;
  - f. Timing of construction activities to avoid school pick up/drop off times;
  - g. Provision of sufficient on-site parking prior to commencement of construction activities;
  - h. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

The approved details shall be adhered to throughout the construction period.

Reason: This is a pre commencement condition in order 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 Policies DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

- C6 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment carried out by Stomor reference ST2392/FRA/1503-Little Furze-EPH Rev 2 dated February 2018.
1. Implementing the appropriate drainage strategy based on attenuation and discharge into Thames surface water sewer into using appropriate above ground SuDS measures and indicated on Surface Water Drainage drawing.
  2. Limiting the surface water run-off to the 1 in 1 year greenfield run-off rate for the whole site into the Thames surface water sewer for all rainfall events up to and including the 1 in 100 year + 40% climate change event.
  3. Limiting the surface water run-off from the care home site to 5l/s into the wider network.
  4. Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% climate change event.

The mitigation measures shall be fully implemented prior to full site occupation and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policies CP1, CP8 and CP12 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

- C7 No development shall take place until the final design of the drainage scheme for the residential units has been submitted to, and approved in writing by, the local planning authority. The surface water drainage system will be based on the submitted Flood Risk Assessment carried out by Stomor reference ST2392/FRA/1503-Little Furze-EPH Rev 2 dated February 2018. The scheme shall also include;
1. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
  2. Detailed surface water calculations and modelling for all rainfall events up to and including the 1 in 100 year + climate change event for the whole site.
  3. All calculations/modelling and drain down times for all storage features.
  4. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features reducing the requirement for any underground storage.
  5. Silt traps for protection for any residual tanked elements.
  6. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.
  7. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.

Reason: This is a pre-commencement condition to ensure that sufficient capacity is made available to cope with the new development to prevent flooding, and in order to avoid adverse environmental impact upon the community, in accordance with Policies CP1, CP8 and CP12 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

- C8 No development shall take place until the final design of the drainage scheme for the elderly care has been submitted to, and approved in writing by, the local planning authority. The surface water drainage system will be based on the submitted Flood Risk Assessment carried out by Stomor reference ST2392/FRA/1503-Little Furze-EPH Rev 2 dated February 2018. The scheme shall also include;
1. Limiting the surface water run-off from the care home site to 5l/s into the wider network.
  2. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

3. Detailed surface water calculations and modelling for all rainfall events up to and including the 1 in 100 year + climate change event.
4. All calculations/modelling and drain down times for all storage features into the wider network.
5. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features reducing the requirement for any underground storage.
6. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.
7. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.

Reason: This is a pre-commencement condition to ensure that sufficient capacity is made available to cope with the new development to prevent flooding, and in order to avoid adverse environmental impact upon the community, in accordance with Policies CP1, CP8 and CP12 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

- C9 Upon completion of the drainage works for each phase in accordance with the timing / phasing, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include;
1. Provision of complete set of as built drawings for site drainage.
  2. Maintenance and operational activities.
  3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policies CP1, CP8 and CP12 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

- C10 Prior to the commencement of development, including any demolition, a Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority. The SWMP should aim to reduce the amount of waste being produced on site and should contain information including types of waste removed from the site and where that waste is being taken to. The development shall be carried out in accordance with the approved SWMP.

Reason: This is a pre commencement condition to promote sustainable development and meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011), Policy DM10 of the Development Management Policies LDD (adopted July 2013) and Policy 12 of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document (2012).

- C11 No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:
1. The programme and methodology of site investigation and recording
  2. The programme for post investigation assessment

3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

B The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (A)

C The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.

Reason: This condition is a pre commencement condition to define, in advance of any development commencing, the details of evaluation/mitigation necessary to protect any archaeological remains present within the development site. The significance of heritage assets with archaeological interest can be harmed/destroyed by development. This is in accordance with NPPF guidance, Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C12 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 take place on site in connection with the development hereby approved unless the branch structure and trunks of all trees and hedgerows shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

The protective measures, including fencing, shall be undertaken in accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. 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).

- C13 Should they be required, detailed proposals for fire hydrants serving the development as incorporated into the provision of the mains water services for the development, whether by means of existing water

services or new mains or extension to or diversion of existing services or apparatus, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of development. The development shall thereafter be implemented in accordance with the approved details prior to occupation of any building forming part of the development.

Reason: To ensure that there is adequate capacity for fire hydrants to be provided and to meet the requirements of Policies CP1 and CP8 of the Core Strategy (adopted October 2011).

- C14 Prior to commencement of development, the open grassland areas or other suitable habitat present shall be subject to a trapping exercise for slow worms following Best Practice methodology. Individuals captured shall be translocated to a suitable location locally to ensure the survival of the population, to the satisfaction of the Local Authority.

Reason: This is a pre-commencement condition to conserve the population of slow worms consistent with protected species legislation and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C15 No development shall take place until a Woodland Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Woodland Management Plan shall include measures for coppicing part of the adjacent woodland owned by Hertfordshire County Council to off-set ecological impacts arising from the proposed development. The woodland shall be managed in accordance with the Woodland Management Plan.

Reason: This is a pre-commencement condition in the interest of biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C16 The development shall be carried out in full accordance with the Ecological Appraisal (Updated January 2018), including mitigation measures, approved pursuant to this application.

Reason: In the interest of biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

#### Informatives:

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

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

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on

0208 207 7456 or at [buildingcontrol@hertfordshirebc.co.uk](mailto: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](http://www.hertfordshirebc.co.uk).

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) for self-build housing) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

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

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

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the District.
- 14 Storage of Materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

- 15 Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to willfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact

the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

- 16 Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
- 17 The applicants' attention is drawn to the Highways comments in relation to the requirement for Traffic Regulation Order (TRO) to remove/alter the existing yellow SCHOOL KEEP CLEAR markings along the site frontage.
- 18 The following terms (and those related to them) referred to at Condition 4 shall be defined as set out below:

**Affordable Housing** means Social Rented Dwellings, Affordable Rented Dwellings and Shared Ownership Dwellings meeting Scheme Design and Quality Standards at costs below those associated with open market housing and which is available to, affordable by and occupied only by those in Housing Need.

**Affordable Housing Provider** means a registered provider registered with the Homes and Communities Agency (HCA) or other body registered with the HCA under the relevant Housing Act or other body approved by the HCA to receive social housing Grant such Registered Provider in any event to be approved by the Council.

**Choice Based Lettings Scheme** means the Council's allocations policy which determines the Council's priorities and procedures when allocating accommodation in accordance with the requirements of Section 167 of the Housing Act 1996.

**Grant** means national affordable housing programme funding allocated by the Homes and Communities Agency.

**Homes and Communities Agency (HCA)** means the agency of that name established by the Government (pursuant to the Housing and Regeneration Act 2008) which exercises the function of the former Housing Corporation in relation to financial assistance for new affordable homes (or any successor body).

**Housing Need** means persons who are assessed by the Council as being unable to resolve their housing needs in the private sector market because of the relationship between housing costs and incomes in accordance with the Choice Based Lettings Scheme.

**Market Housing** means those dwellings constructed on the site pursuant to the planning permission which shall not be Provided as Affordable Housing

**Net Proceeds** means any receipts or consideration received by a Affordable Housing Provider from the sale of an interest in any of the Affordable Housing following its initial occupation after deduction of the Affordable Housing Provider's reasonable evidenced costs of acquisition, construction and sale of the relevant affordable dwelling and the deduction of any Grant repayable.

**Nominations Agreement** means a contract to be entered into between the Council and the owner of the Affordable Housing whereby the Council shall have 100% nomination rights in respect of the Affordable Housing on first Occupation and 75% thereafter on re-lets to enable the Council to nominate occupiers

**Open Market Value** means the value confirmed by a certificate (from a professionally qualified valuer and produced in accordance, where applicable, with the Homes and Communities Agency Capital Funding Guide or successor requirements) that the relevant interest in the dwelling would fetch if sold on the open market by a willing vendor to a willing purchaser

**Provided** means practically completed, ready for first occupation, fully serviced and subject to a contract with an Affordable Housing Provider for the acquisition of no less than a 125 year leasehold interest

**Reasonable Service Charge** means a sum that covers the contribution requested from time to time for those services and facilities which are of a nature and to a standard reasonably required in connection with and which directly benefit the relevant Affordable Housing, such sum to be set at a fair and reasonable proportion of the costs relating to the services provided.

**Scheme Design and Quality Standards** means standards in relation to the internal environment sustainability and external environment of Affordable Dwellings as set out in the Housing Corporation's document entitled 'Design & Quality Standards 2007' or such other replacement design standards as may be issued from time to time.

**"Shared Ownership Dwellings"** means Affordable Housing occupied subject to a Shared Ownership Lease

**"Shared Ownership Lease"** means a lease substantially in the form approved or published by the HCA whereby:

(a) the initial share sold to the leaseholder:

(i) is a minimum of 25% (twenty five per cent) and a maximum of 75% (seventy five per cent) of the total equity in the unit; and

(ii) is sold for a premium equal to the corresponding percentage of the Open Market Value of the property; and

(b) (i) the annual rent does not initially exceed 2.75% (two point seven five per cent) of the full Open Market Value (assessed in accordance with the HCA's Capital Funding Guide) of the Registered Providers retained share of the equity in the relevant affordable unit;

(ii) is not at a level which is in conflict with any applicable Homes and Communities Agency successor restrictions relating to charges payable by the tenant; and

and

(c) the tenant:



- (i) pays no more than a Reasonable Service Charge (where applicable); and
- (ii) may in successive tranches purchase the remainder of the equity in the unit

**Social Rented Dwellings** means Affordable Housing provided through a Affordable Housing Provider available for rent at Target Rent and subject to a Reasonable Service Charge under an assured tenancy or equivalent.

**Target Rent** means a rent which does not exceed the guideline rent determined through the national rent regime set from time to time.

**PC 70/18 18/1359/FUL - Enlargement of three dormer windows to front roofslope, addition of dormers to both flank elevations and internal changes to loft layout at DINKY DOT, 20 ASTONS ROAD, MOOR PARK, HA6 2LD**

Councillor Debbie Morris left the meeting during the consideration of this application.

In accordance with Council Procedure Rule 35(b) Mr Peters spoke against the application.

Councillor Sarah Nelmes said the flank dormers were a significant distance beyond that considered where there maybe overlooking. The glazing had been removed on the side dormers to be replaced with tile hanging detail therefore there was no overlooking now from the side dormer windows.

Councillor Steve Drury asked for clarification regarding 'well set down'. The Planning Officer advised that this was not defined, however, Officers felt that the changes were minor and would not cause demonstrable harm to the streetscene or in the Conservation Area.

Batchworth Community Council said the dormers were not small.

Local Ward Councillor Joanna Clemens said the dormers were not subsidiary.

Councillor Rupert Barnes said the existing dormers at present looked a bit out of place and enlarging them would improve the look.

Councillor Peter Getkahn moved, seconded by Councillor Sara Bedford, as he could see nothing wrong with the application, that planning permission be granted.

On being put to the Committee the motion was declared CARRIED by the Vice-Chairman the voting being 9 For, 0 Against and 1 Abstention.

RESOLVED:

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

- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

- C2 The development hereby permitted shall be carried out in accordance with the following approved plans: 10, 11, 12A, 13B, 14B

Reason: For the avoidance of doubt and in the proper interests of planning and to safeguard the character and appearance of the Conservation Area in

accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Moor Park Conservation Area Appraisal (2006).

- C3 Unless specified on the approved plans, all other new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

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

- C4 Before the first occupation of the dwelling hereby permitted the flank dormers shall be constructed with a hanging tile façade in accordance with the approved plans and shall be permanently retained in that condition thereafter.

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

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

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

#### Informatives:

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

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

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at [buildingcontrol@hertfordshirebc.co.uk](mailto: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](http://www.hertfordshirebc.co.uk).

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

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

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

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 14 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](http://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).

**PC 71/18 18/1364/FUL - Part single, part two storey rear extension, loft conversion including hip-to-gable extension, rear dormer and front rooflights and change of use of dwelling (Class C3) to six bedroom House of Multiple Occupation (Class C4) with parking to rear at 304 WATFORD ROAD, CROXLEY GREEN, RICKMANSWORTH, WD3 3DE**

Croxley Green Parish Council said their comments were in line with the case officer that the mass, occupancy, size and bulk would be disproportionate with the current proportions. On the parking there would be two spaces at the front but the two down the shared drive would block the neighbours' access and would set a precedent in the area. The increased movement of vehicles at the front of the property was also a concern.

Councillor Sara Bedford supported the recommendation for refusal and had concerns with regard to the parking intensification. The use of the shared drive and parking at the bottom of the garden would be unreasonable to impose on the neighbours.

Councillor Peter Getkahn said parking was a massive issue in the area. He thanked the Parish Council for the helpful comments. He moved, seconded by Councillor Debbie Morris, the recommendation that Planning Permission be Refused.

On being put to the Committee the motion was declared CARRIED by the Vice-Chairman in the Chair the voting being unanimous.

RESOLVED:

That PLANNING PERMISSION BE REFUSED for the following reasons:

- R1 The proposed development would significantly increase the bulk and mass of the dwelling by virtue of the size, scale and design of the two storey rear extension together with the size, scale and design of the flat roof dormer window resulting in disproportionate additions to the host dwelling and cause demonstrable harm to the character and appearance of the host dwelling. The development would therefore be contrary to Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies document.
- R2 The material change of use of the dwelling to a six bedroom House of Multiple Occupation (Class C4) would by virtue of the relationship between the shared narrow access and 306 Watford Road result in an increase in coming and goings to and from the rear of the site. This would have a detrimental and un-neighbourly impact on the adjacent occupiers at 306 Watford Road through noise and disturbance. The development would therefore be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

Informative:

- I1 The Local Planning Authority has been positive and proactive in considering 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 encourages applicants to have pre-application discussions as advocated in the NPPF. The applicant did not have formal pre-application discussions with the Local Planning Authority and the proposed development fails to comply with the requirements of the Development Plan and does not maintain/improve the economic, social and environmental conditions of the District.

**PC 72/18 18/1376/FUL- Change of use of existing building from Office (Use Class B1) to 24 hour gym (Use Class D2) at UNIT 4 WOLSEY BUSINESS PARK, TOLPITS LANE, WATFORD, WD18 9BL**

In accordance with Council Procedure Rule 35(b) Mr Platter spoke in favour of the application.

Councillor Peter Getkahn said he could not see how the Committee could oppose the conversion of these offices to gym use. He said it was completely appropriate and a good thing for the offices to be converted to a gym, in the

heart of a commercial estate. He could also see no reason why it can't be open 24 hours.

Councillor Debbie Morris said an employment opportunity would be created by the proposed scheme with jobs retained. This was a case where it was not an appropriate decision to retain the office space. The introduction of the gym on the business park would make the area more attractive to the users of the business park and would benefit local residents. It would also provide local leisure facilities in the form of a 24 hour facility and she favoured the scheme.

Councillor Sara Bedford questioned why the application had come forward for refusal. There was a large amount of top class office accommodation at the nearby Croxley Business Park. In this location it was more appropriate to convert the offices to a gym and supported the granting of the application with appropriate conditions. She moved, seconded by Councillor Debbie Morris, that approval be granted subject to the appropriate conditions to be circulated to the Committee for agreement.

On being put to the Committee the motion was declared CARRIED by the Vice-Chairman in the Chair the voting being 10 For, 1 Against and 0 Abstentions.

RESOLVED:

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

- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

- C2 The development hereby permitted shall be carried out in accordance with the following approved plans: UNIT 4\_V1.0\_001; UNIT 4\_V1.0\_002; UNIT 4\_V1.0\_004; UNIT 4\_V1.0\_005; UNIT 4\_V1.0\_007; UNIT 4\_V1.0\_008; PUMPW\_150518\_001 Rev A (Ground Floor); PUMPW\_150518\_001 Rev A (First Floor); and PUMPW\_150518\_001 Rev A (Second Floor).

Reason: For the avoidance of doubt, in the proper interests of planning and in accordance with Policies CP1, CP6, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM6, DM10, DM11, DM12, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

- C3 The premises shall be used as a '24 hour gym' as illustrated on drawings PUMPW\_150518\_001 Rev A (Ground Floor); PUMPW\_150518\_001 Rev A (First Floor) and PUMPW\_150518\_001 Rev A (Second Floor) and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In granting this permission the Local Planning Authority has had regard to the circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use, to

safeguard the employment area and meet the requirements of Policies CP1 and CP6 of the Core Strategy (adopted October 2011).

- C4 The parking spaces shown on the approved plans shall be made available prior to the first occupation of any part of the development hereby permitted and shall thereafter be kept permanently available for the use of employees and visitors to the site only.

Reason: To ensure that adequate off-street parking and manoeuvring space is provided within the development so as not to prejudice the free flow of traffic and in the interests of highway safety on neighbouring highways in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

Informatives:

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

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

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at [buildingcontrol@hertfordshirebc.co.uk](mailto: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](http://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.

- I2 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

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

**PC 73/18 18/1503/FUL - Demolition of existing porch and relocation of entrance porch to include disability accessible ramp at CHORLEYWOOD PARISH COUNCIL, SOUTH LODGE, RICKMANSWORTH ROAD, CHORLEYWOOD, WD3 5SL**

Officers clarified that Chorleywood Parish Council had confirmed they had no objection to the proposal but also stated that the application would be called to Committee because the Parish was the applicant.

Officers also clarified that the application is called to Committee because the Parish Council are the applicant and because Three Rivers is the freeholder.

Councillor Sarah Nelmes moved, seconded by Councillor Chris Lloyd, that Planning Permission be Granted subject to conditions.

On being put to the Committee the motion was declared CARRIED by the Vice-Chairman in the Chair the voting being unanimous.

RESOLVED:

That PLANNING PERMISSION BE GRANTED subject to the following conditions:

- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

- C2 The development hereby permitted shall be carried out in accordance with the following approved plans: 101 Rev B, 102 Rev D, 105 Rev D TRDC 001 (Location Plan), TRDC 002 (Block Plan received 07.08.2018)

Reason: For the avoidance of doubt and in the proper interests of planning and to safeguard the character and appearance of the Conservation Area, and the residential amenity of neighbouring occupiers in accordance with Policies CP1, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM2, DM3, DM6, DM12 and DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013) and the Chorleywood Common Conservation Area Appraisal (2010).

- C3 Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

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

- C4 The proposed railings serving the disabled access ramp hereby permitted shall be constructed of silver galvanised steel as confirmed in the email received 24.08.2018.

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

Informatives:

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

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

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at [buildingcontrol@hertfordshirebc.co.uk](mailto: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](http://www.hertfordshirebc.co.uk).

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) for self-build housing) 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.

- I2 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.

- 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.

**PC 74/18      18/1508/FUL – Erection of a detached two storey building with rooms in the roof served by dormers and rooflights to provide Bed and Breakfast accommodation (Use Class C1) including eight rooms with associated parking and landscaping at ROSE AND CROWN PUBLIC HOUSE, OLD COMMON ROAD, CHORLEYWOOD, HERTS, WD3 5LW**

Councillor Sara Bedford said the Appeal Inspector decision made it very difficult to go against this decision.

Councillor Debbie Morris said the construction of the building would match the footprint of the previous application but there were changes on the use of the proposed building from a pair of semi-detached 3 bedroom dwellings (4 people in each dwelling making a total of 8 residents). This would create an 8 bedroom bedroom, bed and breakfast facility with 6 double rooms (for a maximum of 12 people) and 2 family rooms (for a maximum of 8 people) making a total of 20 people. This was a 150% increase and would be intensification of the site. Having a bed and breakfast facility would generate noise with the staff arriving/leaving, shouting and banging doors causing disturbance to the residents close by. It stated that no additional staff would be required but for changes of shift there would be noise generated. There would be additional staff parking requirements but there will be no disabled access and no provision for disabled parking with the nearest car park 100m away.

Councillor Marilyn Butler was concerned regarding overdevelopment and use of the site. Parking was already impossible in the area, with only one public car park nearby which was used for users of the war memorial hall, golf club and art centre. For disabled people there would be no parking but under Section 20 of the Equalities Act all reasonable adjustment should be made to provide disabled parking. Having a bed and breakfast facility in this location would disrupt the whole area.

Councillor Sara Bedford said with the previous application the reason for refusal (R2) that the application failed to provide adequate parking was overruled by the Appeal Inspector.

The Planning Officer stated that there would be no loss of parking for the patrons of the public house. There would be 8 parking spaces plus 3 for staff.

Councillor Marilyn Butler said disabled parking cannot be ignored. Councillor Sara Bedford said the Appeal Inspector had. This was a legal issue not a planning matter and the Council could not enforce this. If this application was refused the previous application could be implemented as agreed by the Appeal Inspector.

Councillor Debbie Morris said this application was intensification of use, which would impact on the neighbours and the hours of use. Another Appeal Inspector may not follow the same decision.

The Planning Officer said that the bed and breakfast accommodation would be compatible with the public house and the occupants of the public house could already use the garden and would not cause a disturbance. The Appeal

Inspector decision was a material planning consideration and a valid fall-back position.

The Planning Officer said that regard had to be had for the previous application and if additional concerns were raised there needed to be evidence of demonstrable harm which outweighed the previous design.

Councillor Sarah Nelmes said having bed and breakfast accommodation would be useful to the village and would create employment for local people. The bed and breakfast would be in the control of the public house and not separate which would be better than two separate houses.

Chorleywood Parish Council were opposed to the proposal.

Councillor Debbie Morris moved refusal, seconded by Councillor Marilyn Butler, due to the adverse impact on the neighbours and intensification of the use and the hours of use very early in the morning.

On being put to the Committee the motion to Refuse the application was declared LOST by the Vice-Chairman in the Chair the voting being 3 For, 6 Against and 2 Abstentions.

Councillor Peter Getkahn moved, seconded by Councillor Sarah Nelmes, that Planning Permission be Granted subject to conditions.

On being put to the Committee the motion was declared CARRIED by the Vice-Chairman in the Chair the voting being 7 For, 3 Against and 1 Abstention.

RESOLVED:

That PLANNING PERMISSION BE GRANTED subject to the following:

- 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:

17/3093/1, 17/3093/2B, 17/3093/102, 17/3093/102, 17/3093/104, 17/3093/105, 17/3093/106, 17/3093/107.

Reason: For the avoidance of doubt, in the proper interests of planning and to safeguard the character and appearance of the area and amenities of neighbouring occupiers; in accordance with Policies CP1, CP8, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM3, DM4, DM6, DM8, DM9, DM10, DM12 and DM13 and Appendices 4 and 5 of the Development Management Policies LDD (adopted July 2013) and the Chorleywood Common Conservation Area Appraisal (adopted February 2010).

- C3 No development or other operation shall commence on site until a method statement has been submitted to and approved in writing by the Local Planning Authority. This method statement shall include details of timetables of works, method of demolition, removal of material from the site, importation and storage of building materials on the site, details and

depths of underground service routes, methods of excavation and construction methods, in particular where they lie close to trees. The construction methods to be used shall ensure the retention and protection of trees, shrubs and hedges growing on or adjacent to the site. The development shall only be implemented in accordance with the approved method statement.

The fencing or other works which are part of the approved scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site.

Reason: This condition is a pre commencement condition in the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM3 and DM6 of the Development Management Policies LDD (adopted July 2013).

- C4 No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

The protective measures, including fencing, shall be undertaken in accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. 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 condition is a pre commencement condition in the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM3 and DM6 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 landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted. All soft landscaping works required by the approved scheme shall be carried out in accordance with a programme to be agreed before development commences and shall be maintained including the replacement of any trees or plants which die are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species, for a period for five years from the date of the approved scheme was completed.

Reason: This condition is a pre commencement condition in the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM3 and DM6 of the Development Management Policies LDD (adopted July 2013).

- C6 No development shall take place before a method statement for construction of the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. The construction works shall be carried out in accordance with the approved method statement.

Details submitted in respect of the method statement, incorporated on a plan, shall include details of the provision of parking facilities for contractors during all stages of the development (excavation, site preparation and construction) and the provision of a means of storage and/or delivery for all plant, site huts, site facilities and materials.

Reason: This condition is a pre commencement condition to ensure that no obstructions to the public highway occur during the construction period, in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

- C7 Prior to the commencement of works a revised energy statement shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the energy saving and renewable energy measures detailed within the revised energy statement are incorporated into the approved development.

Reason: This is a pre-commencement condition to ensure that the development meets the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM4 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

- C8 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 building being constructed in inappropriate materials 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 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

- C9 A parking management plan, including details of the allocation of vehicle parking spaces within the development and long term management responsibilities and access arrangements, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. The parking management plan shall be carried out in accordance with the approved details.

Reason: To ensure that adequate off-street parking and manoeuvring space is provided within the development so as not to prejudice the free flow of traffic and in the interests of highway safety on neighbouring highways in accordance with Policies CP1, CP10 and CP12 of the Core

Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

- C10 The parking and turning spaces shall be constructed in accordance with the approved plans prior to the first occupation of any part of the development hereby permitted. The parking and turning spaces shall thereafter be kept permanently available for the use of residents, employees and visitors to the site.

Reason: To ensure that adequate off-street parking and manoeuvring space is provided within the development so as not to prejudice the free flow of traffic and in the interests of highway safety on neighbouring highways in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

Informatives:

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

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

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at [buildingcontrol@hertfordshirebc.co.uk](mailto: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](http://www.hertfordshirebc.co.uk).

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) (for self-build housing) 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 development 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.
- 14 Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
- 15 Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

**PC 75/18 18/1537/FUL - Loft conversion including hip to gable extension, insertion of dormers to front and rear, front rooflight and alterations to fenestration at 11 BATEMAN ROAD, CROXLEY GREEN, WD3 3BL**

Councillor Sarah Nelmes moved, seconded by Councillor Sara Bedford, that Planning Permission be Granted.

On being put the motion was declared CARRIED by the Vice-Chairman in the Chair the voting being unanimous.

RESOLVED:

That PLANNING PERMISSION BE GRANTED subject to the following:

- 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: 10013 100, 10013-101 REV D, 10013-102 REV C.

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

- C3 Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

Reason: To ensure that the external appearance of the building is satisfactory 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).

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 application form; the relevant form is available on the Council's website ([www.threerivers.gov.uk](http://www.threerivers.gov.uk)). 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. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at [buildingcontrol@hertfordshirebc.co.uk](mailto: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](http://www.hertfordshirebc.co.uk).

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) (for self-build housing) 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.

- I2 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.

- 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 Local Planning Authority suggested modifications to the development during the course of the application and the applicant submitted

amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

14 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.

**PC 76/18 18/1540/FUL - Single and two storey side extension, single storey extension to porch, conversion of garage into habitable accommodation and extension to raised patio to rear at RYLSTONE COTTAGE, 10 HADDON ROAD, CHORLEYWOOD, WD3 5AN**

Councillor Debbie Morris moved that having read the report it would be appropriate to make a site visit, seconded by Councillor Steve Drury.

On being put to the Committee the motion was declared CARRIED by the Vice-Chairman in the Chair the voting being 10 For, 0 Against and 1 Abstention.

RESOLVED:

That the application be DEFERRED for a site visit.

**PC77/18 18/1569/FUL - Single storey side and rear extension, extension to covered area to front, replacement roof including increased ridge height and insertion of clock tower within pitched roof at CHORLEYWOOD CRICKET CLUB, CHORLEYWOOD COMMON, RICKMANSWORTH ROAD, CHORLEYWOOD, WD3 5SL**

The Planning Officer updated that Development Plans raised no objection to the proposed development.

Councillor Steve Drury did not have a problem with the application and the building materials but there was no maintenance plan and he would like that considered. This was a significant location in the District. The Planning Officer advised that Condition C3 required samples and details to be provided and this could be amended to include details of long term maintenance with the details circulated to Members for approval.

Councillor Steve Drury moved, seconded by Councillor Chris Lloyd, that Planning Permission be Granted subject to an amendment to Condition C3 requiring samples and details to be provided to be amended to include details of long term maintenance with the details circulated to Members for approval.

On being put to the Committee the motion was declared CARRIED by the Vice-Chairman in the Chair the voting being unanimous.

RESOLVED:

That PLANNING PERMISSION BE GRANTED subject to the following conditions:



- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

- C2 The development hereby permitted shall be carried out in accordance with the following approved plans: 101 Rev B, 102 Rev D, 105 Rev D TRDC 001 (Location Plan), TRDC 002 (Block Plan received 07.08.2018)

Reason: For the avoidance of doubt and in the proper interests of planning and to safeguard the character and appearance of the Conservation Area, and the residential amenity of neighbouring occupiers in accordance with Policies CP1, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM2, DM3 DM6 and DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013) and the Chorleywood Common Conservation Area Appraisal (2010).

- C3 Before any building operations above ground level hereby permitted are commenced, samples and details of the proposed external materials and a management plan to ensure their long term maintenance, shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved. The development shall thereafter be maintained in accordance with the approved management plan.

- C4 No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

The protective measures, including fencing, shall be undertaken in accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. 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 condition is a pre commencement condition to prevent damage to trees during construction and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

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.

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

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

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the District.
- 14 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](http://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).

- 15 The applicant is advised to keep any areas of grass within the application site as short as possible up to, and including, the time when the works take place so that it remains unsuitable for Great Crested Newts to cross.  
Stored building materials (that might act as temporary resting places) are raised off the ground e.g. on pallets or batons. Caution should be taken when moving debris piles or building materials as any sheltering animals could be impacted on. In the unlikely event that a Great crested newt is encountered during works, works must stop immediately and ecological advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England: 0300 060 3900
- 16 Sport England advise that In order to help ensure that the detailed design of the new facilities are fit for purpose, it is requested that an informative be added to a decision notice if the application is approved advising that the detailed design of the pavilion should be designed in accordance with the above design guidance note, the ECB's Pavilions and Clubhouses guidance <http://www.ecb.co.uk/development/facilities-funding/facilities-guidance-and-project-development/ts5-pavilions-and-clubhouses>
- 17 Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
- 18 Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles

leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

**CHAIRMAN**