

## PLANNING COMMITTEE – 23 FEBRUARY 2023

### PART I - DELEGATED

8. 22/1994/FUL – Rearrangement of internal floor plan layout; alterations to rear fenestration including provision of Juliet balcony to the rear and repositioning of door, window and dormer to the rear; provision of internal staircase at CHELSEA HOUSE, 10 ASTONS ROAD, MOOR PARK, HERTFORDSHIRE, HA6 2LD (DCES)

Parish: Batchworth Community Council

Ward: Moor Park and Eastbury

Expiry of Statutory Period: 11.01.2023 (EOT 02.03.2023).

Case Officer: Freya Clewley

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: Called in to Committee by Batchworth Community Council for the reasons set out at 4.1.1 below.

#### 1 Relevant Planning History

- 1.1 W/722/73 – Garage – Permitted 05.03.1973.
- 1.2 8/820/83 – Two single storey side extensions – Permitted 10.02.1984.
- 1.3 8/526/87 – First floor side extension and erection of garage – Permitted 28.08.1987.
- 1.4 19/2093/FUL – Partial demolition of existing dwelling and erection of part three storey/two storey side and rear extensions and loft conversion including rear dormer windows and refronting of property to allow replacement of existing bricks – Refused 27.12.2019 for the following reason:
- R1 The proposed development by reason of the scale, design and the extent of alterations and extensions and resultant loss of original features would adversely affect the character and appearance of the pre-1958 dwelling, streetscene and wider Conservation Area, failing to preserve or enhance the character and appearance of the heritage asset. The development would therefore be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1 and DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and the Moor Park Conservation Area Appraisal (adopted 2006).*
- 1.5 20/0283/FUL – Partial demolition of existing dwelling and erection of part three storey/two storey side and rear extensions and loft conversion including rear dormer windows and alterations to frontage including extension of raised driveway with balustrading and steps to front garden – Refused 06.04.2020 for the following reasons:
- R1 The existing dwelling was built prior to 1958 and makes a positive contribution to the character and appearance of the streetscene and the Moor Park Conservation Area. The proposed extensions including frontage alterations when viewed cumulatively by virtue of their excessive scale, bulk and design would over-dominate the pre-1958 dwelling thereby eroding its special character. In addition, the inclusion of two storey side extension in such close proximity to the existing detached garage would also significantly erode the spacious character of the site. The proposal would lead to less than substantial harm of a designated heritage asset however no public benefits have been demonstrated. The development therefore fails to preserve or enhance the character and appearance of the Conservation Area and is therefore would be contrary to 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), the Moor Park Conservation Area Appraisal (adopted 2006) and the NPPF (2019).*

*R2 In the absence of sufficient information, it has not been demonstrated that the proposed development would not have an adverse impact on any protected species which may be present within or use the site. Therefore necessary consideration and appropriate mitigation cannot be given to the impact of the development on protected species or their habitats contrary to Policies CP1 and CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).*

- 1.6 20/1363/FUL – Partial demolition of existing dwelling and erection of two storey side and rear extensions, loft conversion including dormer windows, alterations to fenestration and extension to raised driveway with balustrading and steps to front garden – Permitted 15.09.2020, works substantially complete externally.
- 1.7 21/2012/NMA – Non Material Amendment to planning permission 20/1363/FUL: Alterations to fenestration – Permitted 10.09.2021.
- 1.8 21/2928/FUL – Alterations to frontage of site including additional hardstanding for parking; soft landscaping and terrace areas, stairs and raised plant beds and landscaping works to rear – Withdrawn 1.03.2022.
- 1.9 22/0330/NMA – Non Material Amendment: Rewording of Condition 4 of planning permission 20/1363/FUL to allow for brick cleaning – Permitted 11.03.2022.
- 1.10 22/0736/FUL – Hard and soft landscaping alterations including additional hardstanding to frontage for parking and turning area and rear patio and terraced areas – Permitted 21.06.2022.

## **2 Description of Application Site**

- 2.1 The application site contains a detached pre-1958 dwelling in the Moor Park Conservation Area, located on the western side of Astons Road. It is set back from the highway by approximately 30m and there is hardstanding to the front which contains parking for at least 3 cars.
- 2.2 The dwelling is finished in mixed red brickwork with a dark tiled hipped roof form. The external works relating to planning permission 20/1363/FUL are under construction and are well advanced. The exterior of the building, including the brickwork and roof, apart from the fenestration, is complete. Works relating to the interior of the building are ongoing. Land levels fall from south to north and increase from east to west across the site, such that the host dwelling is located at an elevated position to the adjacent highway.
- 2.3 The neighbouring dwelling at number 8 Astons Road, is located at a lower land level than the host dwelling. This neighbour is set in from the shared boundary with the application site by approximately 4.1m, and is of a different architectural appearance to the host dwelling, with existing dormer windows within the front and rear roofslope.
- 2.4 The neighbour to the south, number 12 Astons Road, is located at a higher land level than the host dwelling, and is set in approximately 14.7m from the shared boundary with the application site. This neighbour has existing dormer windows within the front and flank elevation roofslopes and has been significantly extended and altered over time.
- 2.5 The area is generally characterised by large, detached properties set within generous plots. There is no particular style which dominates the local context, with each dwelling having a unique style and character.

## **3 Description of Proposed Development**

- 3.1 The application seeks planning permission for the rearrangement of internal floor plan layout; alterations to rear fenestration including provision of Juliet balcony to the rear and repositioning of door, window and dormer to the rear, provision of an internal staircase.
- 3.2 The proposed development would not alter the footprint of the previously approved and largely implemented extensions. The proposed development seeks to remove some internal walls, and internally construct a new central staircase. In terms of external alterations, the proposal seeks to replace the previously approved central glazed element to the rear elevation with a Juliet balcony at first floor level and bifolding doors at ground floor level.
- 3.3 The proposal would include the repositioning of the previously approved dormer to the rear elevation such that the dormer would be sited centrally within the rear roofslope.
- 3.4 Amended plans were sought and received during the course of the application to retain the existing two chimney stacks within the rear roofslope. The submitted structural details have also been revised to demonstrate how the chimneys would be retained.

## **4 Consultation**

### **4.1 Statutory Consultation**

#### **4.1.1 Batchworth Community Council: [Objection]**

*This application is another example of the extensive demolition and subsequent redevelopment of a pre-1958 property (built in 1926) in the historic Conservation Area of Moor Park. The application ignores the local MPPAA and leaves little of the original property and will be detrimental to the area and the principals of the Conservation Area status. Added to this, aspects from an earlier refused application have now been added back in and earlier comments from the Conservation Officer have been ignored.*

*Furthermore, this application follows another similar application (21/2527/FUL) which was refused following significant negative feedback from Conservation Officers, Landscape Officers, TRDC, Batchworth Community Council & MP58. All of this followed a pre-application and advice provided by TRDC Officers that was not followed or taken into account when that initial application was submitted. A significant amount of that same advice seems to have also been ignored with this revised application.*

*In addition, the Conservation Officer comments at the time of the 2021 application stand as of today and we await their comments on this application. Once received and reviewed by BCC we would wish the right to add any additional comments we have.*

*BCC strongly objects to this application for the following reasons:*

- 1. Firstly, we are of the opinion that application is a step backwards in the overall process with aspects that have been negatively commented upon, refused or in receipt of strong direction that they are of an unacceptable nature now being included in a revised application.*
- 2. Following the recent applications and experiences at 27 Sandy Lodge Road and 30 South Approach we believe that a strong and potentially negative approach is required to this application.*
- 3. Since the approval of an application a number of smaller applications / amendments have been sought and obtained, resulting in the site coverage and hardstanding to extend beyond the acceptable level of 15%.*

*We have undertaken an indicative calculation that the total plot coverage comprising the main dwelling, the rear terraced areas and decking, the paved areas immediately around the dwelling, the double garage and as much as possible of the front and hard surfaced area and*

*driveway, results in excess of 35% and approximately 39.75% of the entire site. We attach a photo of our measured areas to identify the 'hard' areas we used from the scale bars.*

*We acknowledge that the 15% plot coverage in the MPCAA of course only refers to the physical dwelling and outbuildings, but nonetheless the impact of such an extent to building combined with the extensive hard surfacing (as measured as best from scale bars) must adversely impact on the openness of the plot and thereby, by direct implication, adversely affect the character and appearance of the Conservation Area.*

- 4. This application results in the significant removal of the majority of internal walls, something we do not want to see in a 1926 house. The application refers to these changes as the "rearrangement of internal floor plan layout" from our perspective from the submitted drawings **none** of the remaining internal walls will now remain. This cannot be allowed.*
- 5. The proposal includes a Juliet style balcony on the rear elevation, which is not representative of a feature found within a building of the 1920s.*
- 6. The proposed relocation of an original/existing feature chimney stack, is now clearly visible above the ridge line from the front elevation.*
- 7. No development or other operation shall commence on site whatsoever until a Construction & Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority. This Construction & Demolition Method Statement shall include details of how all existing walls (internally and externally) to be retained (i.e hatched in a colour (marked as existing)) will be maintained in situ throughout the erection of the extensions hereby permitted with only those walls.*
- 8. As a matter of principle, we feel it is essential with this site's history, to seek the Council's Conservation Officer's comments and we would appreciate the opportunity to review and comment on these upon arrival.*

*Finally, in this respect BCC would ask that this application is called in for a decision by the Planning Committee unless the Planning Officers are minded to refuse.*

Officer comment: Following receipt of these comments from Batchworth Community Council, Officers advised the Parish Council that this application relates solely to internal alterations, fenestration alterations and relocation of the rear dormer. The Conservation Officer's comments were also passed to the Parish Council. No additional comments have been received to date.

4.1.2 National Grid: No response received.

4.1.3 Conservation Officer: [No Objection]

*This property is located in the Moor Park Conservation Area.*

*Given that it has been demonstrated that the host dwelling would be retained prior to, during and following the removal of the internal walls, the proposed internal alterations would not adversely impact the character or appearance of the Conservation Area.*

*There would be no objection to the repositioning of the door, window and dormer to the rear. Whilst there is a preference for the Juliet balcony to be omitted, taking into consideration the previously permitted central glazed element, I would not raise any objections to this aspect of the scheme. The chimneys are now proposed to remain as existing which is positive. The proposal would preserve the significance of the Conservation Area.*

4.1.4 Moor Park (1958) Ltd: [Objection]

*The Directors of Moor Park (1958) Limited would wish to raise the following comments and material planning concerns regarding this latest application.*

*At the outset and crucially, if the Council is minded to support this latest application then, given the extent of internal and external demolition, from a combination of past approvals, and as now shown in this one, and based on very recent experiences at 27 Sandy Lodge Road and 30 South Approach we wish to submit that it must ensure every conceivable measure, safeguard, planning condition and responsibility is taken (by the Council itself and the applicant and applicants professional advisors and contractors) to ensure that the totality of the approved works **DO NOT RESULT IN THE ENTIRE DEMOLITION OF THIS IMPORTANT 1926 HOST DWELLING.***

*The Council will be aware that the host property was built in circa 1926 (i.e a pre-1958 dwelling) and hence is clearly an early example of the original properties built as part of the Moor Park estate. In the past it has been made clear on a number of occasions by the Council that the property makes a positive contribution to the Conservation Area.*

*In light of the above, paragraphs 2.7 and 3.1 of the Council's approved Supplementary Planning Guidance; as per the Moor Park Conservation Area Appraisal (MPCAA), are directly relevant in the determination of this application.*

*The Council will also be aware that three earlier planning applications (refs 19/2093/FUL, 20/0283/FUL and 20/1363/FUL) all sought significant alterations and extensions to the pre-1958 host dwelling and, in the case of the first two applications, both were refused planning permission due to the adverse, over-dominant and destructive impact of the proposals on the character and appearance, and loss of original features, of the pre-1958 dwelling. It is to be noted that the third application listed above was only approved after further amendments were submitted.*

*It is imperative to note that the first two applications were strongly opposed by the Council's Conservation Officer expert, to ensure that none of the aspects of the schemes that were found to be materially harmful and unacceptable in the two previously refused applications (or the amended approved application), are somehow now being "re-introduced" under the guise of this latest set of proposals. We would argue that such works were found to be unacceptable and harmful in 2019 and 2020, they should be judged to be equally unacceptable and harmful now (and duly refused).*

*We say this in light of, inter alia:-*

- The proposed relocation of an original/existing feature chimney stack, which albeit in the rear roofslope, is clearly visible above the ridge line from the front elevation.*
- The proposed removal of all the remaining internal walls of the original house that the application refers to as merely the "Rearrangement of internal floor plan layout...." (As far as we can tell from the submitted drawings none of the remaining internal walls – pursuant to the previous approval – will now remain – which we were previously told by the Council were always to be shown in red shading??) and*
- The proposed incorporation of a "Juliet style" balcony on the rear elevation, which we are concerned does not represent a feature that is commensurate with a building of the 1920's.*

*As a matter of principle, if any of these listed (or other) aspects of the scheme are found to be unacceptable by the Council's Conservation Officer, we would wish to support those expert views and oppose the application.*

*Finally, we note that additional windows are proposed in the side wall of the dwelling. While overlooking and resultant loss of privacy is normally an issue for neighbours to comment on, we are mindful of the introduction of new and/or additional flank/side facing, that may increase overlooking, or the perception of overlooking/loss of privacy, to neighbouring properties.*

*Consequently, we would ask the Council to have specific regard to this important issue in the assessment and determination of this planning application.*

*We trust the above response, based on what we regard as very relevant and material planning considerations, primarily within the approved MPPCA, will be taken full cognisance of.*

## **4.2 Public/Neighbour Consultation**

4.2.1 Number consulted: 10

4.2.2 No of responses received: 0

4.2.3 Site Notice: Expired: 16.12.2022                      Press notice: Expired: 23.12.2022.

## **5 Reason for Delay**

5.1 Committee Cycle.

## **6 Relevant Planning Policy, Guidance and Legislation**

### **6.1 Legislation**

Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise as set out within S38(6) Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990).

S72 of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.

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

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

### **6.2 National Planning Policy Framework and National Planning Practice Guidance**

In July 2021 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The 2021 NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

### **6.3 The Three Rivers Local Development Plan**

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

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

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

#### 6.4 Other

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

The Moor Park Conservation Area Appraisal (2006).

### 7 **Planning Analysis**

#### 7.1 Impact on Character of Host Dwelling, Street Scene and Conservation Area

- 7.1.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.
- 7.1.2 As the site is located within the Moor Park Conservation Area, Policy DM3 of the Development Management Policies LDD (adopted July 2013) is also applicable. Policy DM3 sets out that within Conservation Areas, development will only be permitted if the proposal is of a scale and design that preserves or enhances the character and appearance of the area.
- 7.1.3 The Moor Park Conservation Area Appraisal (2006) provides supplementary planning guidance and is a material planning consideration in the assessment of applications within the Moor Park Conservation Area.
- 7.1.4 Paragraph 3.1 of the Appraisal is relevant to the consideration of this application which states that the Council "*will give high priority to retaining buildings which make a positive contribution to the ... Conservation Area*" and that, as a guide, the Council will seek the retention (and suitable protection) of buildings erected prior to 1958. Paragraph 2.7 is also of relevance to the consideration of this application, which states that the buildings on the Moor Park Estate that make a "positive contribution" to the Conservation Area will be those "*examples of relatively unaltered buildings where their style, detailing and building materials are characteristic of the conservation area*". Paragraph 2.4 of the appraisal states with specific regard to Astons Road; '*it is recognised that there has been a change in character in Astons Road (the section closest to Batchworth Lane) as a result of recent redevelopment particularly on large plots*'.
- 7.1.5 Dating from 1926, the original building is part of the earliest building phases within the estate, which are given great weight within the Moor Park Conservation Area Appraisal document. It is noted that the original dwelling was extended following grants of planning permission in 1983 and 1987 and that the host dwelling is currently undergoing works to implement the proposed extensions granted under application reference 20/1363/FUL. The structure of the works relating to the previously approved application are substantially complete, although it is noted that works are still under construction internally.

7.1.6 The proposed development would include the removal of several internal walls within the original central section of the dwelling, as well as the relocation of the internal layouts of the extensions currently under construction. The application is accompanied by a Method Statement for the refurbishment, removal and replacement of the internal walls, prepared by MW Design and Consulting Limited, a structural engineering company. Further details regarding temporary measures to support the existing building have also been submitted in the form of drawings prepared by MW Design and Consulting Limited.

7.1.7 It is noted that reference to the removal of chimney stacks has been removed as part of the revised Method Statement, as the chimneys are now proposed to be retained as existing. The submitted Method Statement outlines the following;

1. Using a specialist designer and contractor, install temporary propping at roof level between original front and rear elevation external walls prior to any internal structure being removed.
2. Install permanent second floor steelwork and supporting floor joists allowing for projecting ends of beams over spine walls to be built up and also propping structure to east chimney at ground floor ceiling level.
3. Remove existing structure below to accommodate new walls.
4. Undertake underpinning pads adjacent rear elevation adjacent to position of new stairwell walls.
5. Excavate for new foundations to depths required and arrange for sign off with Local Authority building control department. Allowance to be made for connection of new foundation to newly underpinned rear pad footings using pairs of T16 dowel bars.
6. Continue with construction of sub-structure walls, ground floor precast beam & block floor and lifting of ground floor masonry walls in accordance with building regulation drawings and specification prepared by architect ensuring that it is adequately tied to the existing front and rear walls.
7. Install new first floor joists and supporting steels and raise first floor masonry to second floor level to support roof steelwork.
8. Cut back steels as required to suit new walls.
9. Remove temporary support steels at roof and ground floor chimney once permanent structure is complete.
10. Carry out demolition works to chimneys below supporting steelworks.

7.1.8 The submitted temporary support measures, drawings and details demonstrate that the existing dwelling would be retained and supported prior to, during and following the demolition of the internal walls. The submitted information has been reviewed by the Council's Building Surveyor who has confirmed that the submitted details demonstrate an appropriate method to retain the existing building during the demolition of the internal walls.

7.1.9 Section 55 of the Town and Country Planning Act 1990 defines development as "the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land". Section 55(2) states:

The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land:

(a) the carrying out for the maintenance, improvement or other alteration of any building of works which—

(i) affect only the interior of the building, or

(ii) do not materially affect the external appearance of the building

7.1.10 It is noted that if the extensions which are currently under construction were entirely complete, rather than substantially complete, the proposed internal alterations would not require planning permission because they would not fall into the definition of development as set out above and would fall into the exception at 55(2) also quoted above. The works on the proposed extensions are considered to be substantially complete, as the external



walls and roofs are constructed, the brickwork finished and pointed and windows inserted. The extensions appear to be enclosed and water-tight. The walls to be removed are entirely internal to the structure. As such, because the works on the extension are substantially complete, it is considered that those works would fall outside of planning control. As planning permission is sought, it is considered reasonable and necessary to attach a condition to ensure the works were carried out in accordance with the submitted details. It is not considered that the proposed internal alterations would result in any harm to the character or appearance of the host dwelling, streetscene or wider area.

- 7.1.11 The proposed alterations to the fenestration to the rear would include the replacement of the central glazed feature with a Juliet balcony and bifolding doors. The door, window and dormer would be repositioned such that they would sit centrally within the rear elevation. The Conservation Officer has raised no objection to the proposed development. Whilst it is noted that there is a preference for the Juliet balcony to be omitted from the development, given the large glazed feature previously permitted, the proposed fenestration to the rear would be a reduction overall. The centring of the door, window and dormer would reflect the symmetrical architecture of the host dwelling. As such, it is not considered that the fenestration alterations and relocation of the door, window and dormer would result in any harm in this regard.
- 7.1.12 In summary, it is considered that the proposal would respect the character and appearance of the host dwelling, streetscene and Conservation Area, a designated Heritage Asset. As such, the development would accord with Policies CP1 and CP12 of the Core Strategy, Policies DM1, DM3 and Appendix 2 of the Development Management Policies document and the Moor Park Conservation Area Appraisal.

## 7.2 Impact on Amenity of Neighbours

- 7.2.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.
- 7.2.2 Given the nature of the proposed internal alterations, it is not considered that this element would result in any impact on neighbouring amenity.
- 7.2.3 The proposed development would include the relocation of the door, window and dormer within the rear elevation and the replacement of the central glazed element with bifolding doors and a Juliet balcony. Given the small scale alterations proposed to the rear elevation, and that the overall fenestration to the rear would be reduced, it is not considered that the proposal would result in any harm to neighbouring properties.
- 7.2.4 In summary, it is not considered that the proposed development would result in any harm to neighbouring amenity.

## 7.3 Amenity Space Provision

- 7.3.1 The proposal would result in a seven bedroom dwelling (two additional bedrooms). Policy CP12 of the Core Strategy states that development should take into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space. Specific standards for amenity space are set out in Appendix 2 of the Development Management Policies LDD. The proposed development would not encroach upon the existing amenity space to the rear of the dwelling. A rear garden of over 510sqm would be retained which would exceed the standards set out within Appendix 2 of the Development Management Policies document.

#### 7.4 Wildlife and Biodiversity

7.4.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive.

7.4.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application. A Biodiversity Checklist has been submitted and indicates that no protected species would be affected by the development.

#### 7.5 Trees and Landscaping

7.5.1 Policy DM6 of the Development Management Policies LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards. There are four trees along the front boundary of the application site which are subject to TPO119, with other mature trees also afforded a level of protection due to the location of the application site within the Moor Park Conservation Area.

7.5.2 The proposed works would not result in any harm to the mature, protected trees within or surrounding the application site and the proposal is acceptable in this regard.

#### 7.6 Highways, Access and Parking

7.6.1 Policy DM13 of the Development Management Policies LDD requires development to make provision for parking in accordance with the parking standards set out at Appendix 5 of the Development Management Policies LDD. The dwelling would retain a driveway large enough to accommodate at least three cars which would be in accordance with policy for a dwelling of this size.

### **Recommendation**

8.1 That PLANNING PERMISSION BE GRANTED subject to the following conditions

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

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

C2 The development hereby permitted shall be carried out in accordance with the following approved plans: A3 4407 PLA 3.02, 2207-PL-010 P1, 2207-PL-011 P2, 2207-PL-012 P3, 2207-PL-013 and 2207-PL-014.

Reason: For the avoidance of doubt, in the proper interests of planning and to safeguard the character and appearance of the Moor Park Conservation Area; in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6, DM13 and Appendix 2 of the Development Management Policies LDD (adopted July 2013), the Moor Park Conservation Area Appraisal (adopted 2006) and the NPPF (2021).

- 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).

- C4 The works of demolition of the existing internal walls of the dwelling known as "Chelsea House, 10 Astons Road" hereby authorised shall be carried out in accordance with the submitted Revised Method Statement dated 9 February 2023 and "Structural Sketches for Internal Alterations (Job No 211032 dated December 2022) by MW Design and Consulting Ltd (Drawing Numbers SK101, SK102, SK103, SK104, SK105, SK106, SK107, SK109, SK110, SK111, 12979-800 (SHT 1) and 12979-800 (SHT 2)).

Reason: To ensure that the original pre-1958 dwelling is retained 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 (adopted 2006).

## 8.2 **Informatives:**

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

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

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at [buildingcontrol@hertfordshirebc.co.uk](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. If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

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

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

- 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.