**12. 17/0806/FUL - Change of use of ground floor from retail (Use Class A1) to restaurant and hot food takeaway (Use Classes A3/A5) with installation of extractor duct to rear at 8 MONEYHILL PARADE, UXBRIDGE ROAD, RICKMANSWORTH, WD3 7BE Mr Eric Louis Barnaby**

|  |  |
| --- | --- |
| Parish: Non-Parished  | Ward: Rickmansworth Town |
| Expiry Statutory Period: 22 June 2017  | Officer: Jane Rodens  |
|  |  |
| Recommendation: That planning permission is granted subject to conditions. |
|  |
| This application is brought before the Committee as it has been called in by three Committee Members.  |

1. **Relevant Planning History**
	1. 8/14A/75 - Illuminated fascia sign.
	2. 8/35/87 - Extension to garage,showroom
	3. 8/412/76 - 2 Metre high brick boundary wall
	4. 8/438/75 - Single storey extension and new shop front
	5. 8/556/75 - Erection of single storey rear extension and new shop front
	6. 97/0974 - Boundary wall to create waste bin storage area
2. **Site Description**
	1. The application site is located on the junction of Uxbridge Road and Elm Way, it is currently an A1 use class, as defined by the The [Town and Country Planning (Use Classes) Order 1987](http://www.legislation.gov.uk/uksi/1987/764/contents/made) (as amended). It is currently being used as a carpet shop, there is an office/store room associated with the retail unit located on the 1st floor. To the rear is an extension which contains a bin store that can be accessed from the path running to the north east of the proposal site.
	2. To the rear of the proposal site is 2a Elm Road which is 5m from the rear elevation of the rear projection at number 8 Moneyhill Parade. There is a back access from the rear of the proposal site that runs to the rear of the other units in this section of the street.
	3. The proposal site is attached to 9 Moneyhill Parade, to the east across Elm Way is 7 Moneyhill Parade. There is no car parking available within the curtilage of the proposal site, but there is on street parking located to the primary frontage of the property, this is shared with other premises in the area, as there are parking restrictions.
	4. Currently on the primary frontage of the property there is signage and advertisement which is linked to the current use of the property.
3. **Proposed Development**
	1. This application seeks full planning permission for the change of use of ground floor from retail (Use Class A1) to restaurant and hot food takeaway (Use Classes A3/A5) with installation of extractor duct to rear.
	2. The ground floor is proposed to be converted into a restaurant with a seating area, bar, kitchen preparation area, washing up area, storage, male/female toilet, cold room, bicycle parking area and waste recycle area.
	3. The seating area that is proposed is considered to be 83.6m2 in size, from the information that has been submitted.
	4. The proposed flue on the rear of the property is proposed to be 3.5m in height from the current flat roof, 1m of the flue is to protrude above the eaves to the rear of the property. Within the flue there is proposed to be extraction equipment that is to serve the flue from the cooking equipment in the restaurant.
	5. There is no information on any other changes to the front of the property including the signage.
4. **Consultee Responses**
	1. Local Plans [No Objection]:

*The application seeks to change the use of the existing A1 retail to a restaurant and hot food takeaway (A3/A5). The site is within the Local Centre of Moneyhill Parade, Rickmansworth. Policy SA4 of the Site Allocations Local Development Document states that identified Local Centres and Local Shops will be protected and enhanced where they are catering for local day-to-day needs and the retention of retail uses will be encouraged. The applicant claims that the existing retail use is no longer financially viable. If this is indeed the case, then alternatives may need to be considered. Policy SA4 goes on to state that uses complementary to the Local Centre and Local Shops will be encouraged. The local centre provides a variety of shops, and services as well as a wide range of restaurant/cafés and hot food takeaways. A restaurant and hot food takeaway, though not A1 retail, can be considered a use that is complementary to the Local Centre and Local Shops; as such application does not conflict with Policy SA4 of the adopted Site Allocations Local Development Document.*

* 1. Environmental Health [No Objection]:

*Having looked at the scheme for the extraction system as long as it is installed correctly and routinely maintained then it should deal appropriately with the odours.*

*I would like to see a full noise report before commenting fully on the noise from the ventilation and if the additional attenuation would be required. Any sound from the system should not have an impact on the area and be considered with relevant standards.*

* 1. Environmental Protection: No objection.
	2. Hertfordshire Highways [No Objection]:

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

*HIGHWAY INFORMATIVES:*

*Chairs and tables on highway*

*AN). Notwithstanding the consent issued under the Town and Country Planning Act, a license issued under the provisions of Section 115E of the Highways Act 1980 is required prior to the placement of any tables, chairs or other apparatus in the public highway. The applicant will need to apply to the County Council Highways via either the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/street-cafe-licence.aspx or telephone 0300 1234047 to arrange this.*

*COMMENTS / ANALYSIS:*

*The proposal comprises of the change of use of a shop (class A1) to a restaurant (class A3/A5) at 8 Moneyhill Parade, Uxbridge Road, Rickmansworth. The property is located on the corner of Uxbridge Road and Elm Way. Uxbridge Road is designated as a main distributor classified ‘A’ road subject to a speed limit of 30mph and highway maintainable at public expense.*

*VEHICLE ACCESS & PARKING*

*There is no new/altered vehicle access in relation to the proposals. There are no existing or proposed on-site parking spaces, which is considered to be acceptable by HCC as Highway Authority due to its sustainable location. The applicant is reminded that Three Rivers District Council (TRDC) is the parking authority for the district and therefore ultimately should be satisfied with any parking arrangements.*

*WASTE COLLECTION / STORAGE:*

*The proposals include provision for a waste and recycle area and these are shown on submitted drawing no. APR/JR/17-004. The arrangements are considered to be acceptable by HCC as Highway Authority to ensure that the bins are not stored on the adjacent highway footway. The collection method must be confirmed as acceptable by TRDC waste management.*

*TRAFFIC GENERATION & IMPACT ON THE ADJACENT HIGHWAY:*

*The traffic generation of vehicles would be considered not to have a significant impact on the local highway network.*

*ACCESSIBILITY & SUSTAINABILITY:*

*The property lies within in a sustainable location surrounded by commercial and retail businesses and close to residential areas and there is therefore potential for good pedestrian and cycling accessibility. A wide highway footway exists at the front and side of the property and the property is within walking distance of the town centre bus stops (the nearest bus stop is 40m away). Furthermore Rickmansworth railway station is only 1km from the property and therefore within easy reasonable walking and cycling distance. Secure bicycle parking has been provided as part of the proposal and this is considered to be acceptable and in accordance with HCC and TRDC guidance.*

*CONCLUSION:*

*HCC as Highway Authority has considered that the proposed change would not to have an unreasonable impact on the safety and operation of the nearest highway, particularly when taking into consideration its sustainable location. HCC has no objections or further comments on highway grounds to the proposed change of use, subject to the inclusion of the above informative.*

* 1. National Grid (Gas): No response received.
1. **Public Consultation**
	1. Number Consulted: 41
	2. Site/Press Notice posted on 11 May 2017 and Expired on 1 June 2017. Press notice was not required.
	3. Summary of comments
	4. Objections - 36

Highways

* Going to bring in more traffic to the area
* The additional staff to the area will to cause problems in regards of parking and access
* The deliveries are going to also harm the highway and safety
* There have been a number of accidents already in this area this will increase with the change of use
* People park illegally on the roads already, across driveways and double yellow lines
* There is no enforcement of the parking issues in the area
* There is a lack of parking available for the unit.

Overdevelopment

* Going to harm the other business in the area
* There are enough hot food premises in the area
* This does not create a diverse shopping centre

Amenity

* There is already the smell of the extractor fans in the area, this is going to increase with the addition of another hot food unit
* There will be additional rubbish and pest problems
* There will be more anti-social behaviour
* The proposed duct will be unsightly

Petitions

* 16 letters stating the following

This is going to bring in more traffic to the area, there are several hot food businesses in the area, there are nearly 15 hot food business at the parade varying from takeaways to Indian, Italian and Chinese Restaurant

* 96 Signatures stating the following:

This will bring more traffic to the parade, it will also cause more traffic delays and parking problems. The parking situation at Moneyhill is at breaking point as cars now park more illegally in order to use the shops, there should be other business opportunities in the area.

* 1. Support - 27
* This will increase the choice of restaurants in the area, as there are a lot of fast food outlets.
* This will provide additional jobs
* Having a parking problem means that people would be more willing to walk to the restaurant rather than drive.
* The traffic is from the M25 not the parade of shops
* The restaurant will attract more people to the area and the shops
* This will increase the competition in the area
* This will not necessarily have a detrimental effect on the traffic, noise & litter issues
1. **Reason for Delay**
	1. Not applicable.
2. **Relevant Local and National Policies**
	1. The Three Rivers Local Plan

The Three Rivers Local Plan is currently being drawn up. The Core Strategy was adopted on 17 October 2011 after the Inspector concluded that it was sound following Examination in Public which took place in June 2011. Relevant policies of the adopted Core Strategy include CP1, CP7, CP9, CP10 and CP12.

The Site Allocations Local Development Document was adopted on 25 November 2014 after the Inspector concluded that it was sound following Examination in Public. Policy SA4 is relevant to this application.

The Development Management Policies Local Development Document (LDD) 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 of the adopted Development Management Policies LDD include DM6, DM13 and Appendix 5.

* 1. National Planning Policy Framework (NPPF)

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

* 1. Other

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

The Localism Act received Royal Assent on 17 November 2011. The Growth and Infrastructure Act received 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.

1. **Planning Analysis**
	1. Principle of Development
	2. Policy SA4 of the Site Allocations Local Development Document states that identified Local Centres and Local Shops will be protected and enhanced where they are catering for local day-to-day needs. The retention of retail uses and uses which are complementary to the Local Centre and Local Shops will be encouraged.
	3. Policy CP7 (Town Centres and Shopping) of the Core Strategy, under section g states that the hierarchy of retail centres and their established character and diversity will be maintained through; “Protecting and enhancing existing Local Centres and other local shops which cater for local day-to-day needs”
	4. The proposal site is allocated on site reference R(f) within the Site Allocations Local Development Document. This demonstrates that Moneyhill Parade, Rickmansworth is a Local Centre.
	5. The following tables demonstrate the split of use classes within the Moneyhill Parade area.
	6. The north side of the road

|  |  |
| --- | --- |
| Dolce Cafe | A3/A5 |
| Thai Orchard | A3/A5 |
| Kebab Centre | A5 |
| Best One  | A1 |
| Coffee and Cream  | A1 |
| Dry Cleaners | A1 |
| Funeral Directors | A1 |
| Pharmacy | A1 |
| **Proposal site – Carpet Shop** | A1 |
| Cost Cutter | A1 |
| Chemist | A1 |
| Bet Fred | Sui Generis |
| Dominos | A5 |
| Moneyhill Interiors  | A1 |

* 1. South side of the road

|  |  |
| --- | --- |
| Eastern Spice | A5 |
| Bargin Wines | A1 |
| Rickmansworth Cars | Sui Generis |
| Barber Room | A1 |
| Mill End Café | A3 |
| Woks Room – Chinese takeaway | A5 |
| Caffe Perfetto | A3/A5 |
| Graynes Bakery | A1 |
| Just Windows and Doors | A1 |
| KFC | A3/A5 |
| Kebab and Pizza | A3/A5 |
| Curry Garden | A3/A5 |
| Pepe Piripiri | A3/A5 |
| Sea Masters Takeaway | A5 |
| Décor Scheen | A1 |
| Vintage Hair | A1 |
| Albany Appliance Centre | A1 |
| Day and Night pharmacy  | A1 |
| B&B Radios | A1 |
| Optometrist  | A1 |

* 1. Total of north side of the street

|  |  |  |
| --- | --- | --- |
| North side  | Before the change of use  | After the change of use  |
| A1 | 9 | 65% | 8 | 58% |
| A3 | 0 | 0% | 0 | 0% |
| A3/A5 | 2 | 14% | 3 | 21% |
| A5 | 2 | 14% | 2 | 14% |
| Sui Generis | 1 | 7% | 1 | 7% |
|  | 14 |  | 14 |  |

* 1. Total of the whole street

|  |  |  |
| --- | --- | --- |
| Total Street | Before the change of use  | After the change of use  |
| A1 | 19 | 56% | 18 | 53% |
| A3 | 1 | 3% | 1 | 3% |
| A3/A5 | 7 | 20% | 8 | 23% |
| A5 | 5 | 15% | 5 | 15% |
| Sui Generis | 2 | 6% | 2 | 6% |
|  | 34 |  | 34 |  |

* 1. As demonstrated above the amount of A1 use classes on the north side of the street is currently 65% this is would be reduced to 58% if the change of use was to occur. The total of the A3, A3/A5 and A5 categories adds up to 28%, if the change of use is to take place this would increase to 35%. As a whole it is considered that the loss of the use would not be substantial as it is still above 50% of the north side of the street. The A1 use class within the whole of Moneyhill Parade would reduce from 56% to 53%, and the A3, A3/A5 and A5 categories adds up to currently 38%, if the change of use is to take place this would increase to 40%. As this is less than 50% for the whole of the area it is considered that the change of use would not impact on the overall provision of A1 uses within the Moneyhill Parade area.
	2. There have been no objections to the application for the change of use from the Local Plans Officer, they have stated that a restaurant and hot food takeaway, though not A1 retail, can be considered a use that is complementary to the Local Centre and Local Shops; as such application does not conflict with Policy SA4 of the adopted Site Allocations Local Development Document.
	3. It is stated in the Design and Access Statement that the current use of the unit is not profitable. It has been stated by the agent that as the unit has not been put on the market, therefore there is no information on the marketing of the property and the interest of it staying as an A1 unit.
	4. Opposition to business competition is not considered to be a material planning consideration as this cannot be controlled by planning matters, it is dependent on the market conditions.
	5. In regards of the above information it is considered that the proposal would not impact on the availability of day-to-day needs as required by Policy CP7 of the Core Strategy and SA4 of the Site Allocations Local Development Document. The amount of A1 use within the parade is still considered to be at a level that is acceptable and adequate to meet the day to day needs to the residents of the surrounding area. Therefore the proposal is in compliance with Policy SA4 of the Site Allocations Local Development Document and Policy CP7 of the Core Strategy.
	6. Design and Impact on Street Scene/Character
	7. Policy CP1 of the Core Strategy seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy states that development should ‘have regard to the local context and conserve or enhance the character, amenities and quality of an area’.
	8. There is no information on changes to the frontage of the building, any changes in advertisement would require advertisement consent, any changes to the shop front would require full planning permission. Therefore there are no comments to make on the primary elevation of the proposal site.
	9. To the rear of the proposal site there is proposed to be a flue for the cooking equipment within the unit. The proposed flue is to be 3.5m in height from the current flat roof projection to the rear of the property, 1m of the flue is to protrude above the eaves to the rear of the unit.
	10. Due to the location of the flue and the others that are located to the rear of the properties in the area it is considered that it would not be out of keeping with the character of the streetscene. It would be visible from Elm Way when travelling to the parade, but due to the character of the rear of the properties it is not considered to have a detrimental effect. The materials that are proposed for its construction are not considered to be harmful to the rear of the property and the flue would not create a dominant addition to the rear of the property.
	11. The proposal would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy as there is to be minimal harm to the streetscene.
	12. Impact on Neighbours
	13. 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’.
	14. The proposed opening hours of the property are between 11:00 to 23:00, this is acceptable as there are other units within Moneyhill Parade that are of the same use class that are also open for the same hours.
	15. It is considered that there would be some impact on the amenity of the neighbouring properties in regards to noise from the property. As this is a use class that would be expected in this area and the other uses that are located in the area it is deemed that it would not be detrimental as to refuse the application on the basis of noise.
	16. In regards of the flue to the rear of the property this is also considered to have minimal impact on the amenity of the neighbouring properties in regards of smell. Comments have been received from the Environmental Health Officer stating that they are happy with the information submitted, but further information is required on the noise of the equipment that is to be used to ensure it is adequate for the location. Therefore it is recommended that a condition is added to the application to request information on the noise of the equipment prior to commencement of the change of use of the unit.
	17. The proposed development would not therefore result in any significant adverse impact on the residential amenity of any neighbouring dwelling, the development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy.
	18. Traffic and Car Parking
	19. Core Strategy Policy CP10 requires development to make adequate provision for all users, including car parking. Policy DM13 and Appendix 5 of the Development Management Policies document set out parking standards.
	20. The following table shows the parking requirements as stated by Appendix 5 that are applicable to this application.

|  |  |  |  |
| --- | --- | --- | --- |
| Use Class | Description  | Car Parking Standards  | Car Parking Requirement |
| A1 Retail and Foodstores | Retail and Small food shops up to 500sqm gross floor area | 1 space per 30sqm gross floor area | Total floor space of the building is 150.6m2 (excluding side storage area) – 5 spaces required  |
| A3 Restaurants and Cafés | Restaurant/ cafés | 1 space per 5sqm of floorspace of dining area plus3 spaces per 4 employees. | 83.6m2 floor space of the dining room – 16.7 required spaces 9 spaces for the additional employees  |
| A5 Hot Food Takeaways | Hot food takeaway shops (excluding fast food drive thru restaurants) | 1 space per 3sqm of floorspace of public area plus3 spaces per 4 employees. | 83.6m2 floor space of the dining room – 27.8 required spaces9 spaces for the additional employees  |

* 1. In regards of the amount of parking that is currently required at the proposal site for the A1 use there is an under provision of 5 parking spaces. If the application site were to be A3 use there would be a requirement of 25.7 spaces within the curtilage of the proposal site, this includes the staff parking at the maximum of the staff required. If the application site were to be solely for the use of A5 there would be a requirement of 36.8 spaces within the curtilage of the property.
	2. It has been stated by the applicant that 80% of the use of the premises would be for the use of the A3 element of the proposal and the other 20% of the premises would be for the use of A5 of the property. On this basis there would be a requirement of 28 spaces within the curtilage of the property (80% of the A3 requirement is 20.6 spaces and 20% of the A5 requirement is 7.4 spaces equalling to 28 spaces).
	3. The proposal is located in zone 2 as stated in Appendix 5 of the Development Management Policies there can be an adjustment of 25%-50% of the indicative demand-based standards. Therefore on the information above it is considered that there would be a parking requirement of 7 to 14 spaces within the curtilage of the property, or allocated to it.
	4. Comments have been received from the Highways Authority and they have stated that

*The property is located on the corner of Uxbridge Road and Elm Way. Uxbridge Road is designated as a main distributor classified ‘A’ road subject to a speed limit of 30mph. The property lies within in a sustainable location surrounded by commercial and retail businesses and close to residential areas and there is therefore potential for good pedestrian and cycling accessibility. A wide highway footway exists at the front and side of the property and the property is within walking distance of the town center bus stops (the nearest bus stop is 40m away). Rickmansworth railway station is only 1km from the property and therefore within easy reasonable walking and cycling distance. Secure bicycle parking has been provided as part of the proposal. The traffic generation of vehicles would be considered not to have a significant impact on the local highway network. There is no new/altered vehicle access in relation to the proposals. There are no existing or proposed on-site parking spaces, which are considered to be acceptable by HCC as Highway Authority due to its sustainable location.*

* 1. Currently there is no designated or allocated parking for any of the uses within the Moneyhill Parade area. There are parking spaces available within the area but these are restricted for two hours, there are double yellow lines on the surrounding roads leading to Moneyhill Parade.
	2. Comments that have been received state there are concerns that the customers will park illegally, on yellow lines and in front of driveways, as they currently do. The is not a planning matter as it cannot be controlled by a planning condition; it would be a highways enforcement matter.
	3. On balance, regarding all of the above information and the objections that have been received, the amount of parking that is required and the current situation means that, this proposal is considered to be acceptable in regards of parking. The required amount of parking spaces is 7-14 spaces, it is in a sustainable location within a current parade of shops and other uses as stated above. There is no highways objection to the highway safety of the main highway from the proposed use. It is acknowledged that there is pressure for parking in the area and the demand for parking is likely to be higher for the proposed restaurant than for the existing shop and there is a current under provision for the whole of the parade. However given the existing parking restrictions, it is unlikely that any effects would be significant enough to warrant refusal.
	4. It is considered that the proposal is in conformity with Policy CP10 of the Core Strategy and Policy DM13 and Appendix 5 of the Development Management Policies document.
	5. Refuse and Recycling
	6. It is shown on the submitted plans that there is provision for a waste and recycle area, the arrangements are considered to be acceptable by the Highways Authority. This area is currently used for waste and recycling from the current use of the premises. The collection method of the bins would need to be confirmed by the Three Rivers District Council Waste Management, therefore it is considered acceptable to recommend a condition on the application to ensure sufficient information is submitted.
	7. Trees
	8. Policy DM6 of the Development Management Policies 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.
	9. There are no trees that would be impacted by the proposal
	10. Biodiversity
	11. Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.
	12. The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application. The application is accompanied by a biodiversity checklist which states that no protected species or biodiversity interests will be affected as a result of the application. The Local Planning Authority is not aware of any records of protected species within the immediate area that would necessitate further surveying work being undertaken.
	13. Summary
	14. In summary it is considered that the proposal would be acceptable as it is in a sustainable location and there is an adequate amount of A1 use classes within the parade, therefore it is considered that the principle of the change of use is acceptable. The highways safety is deemed to be acceptable and the requirements of parking would be acceptable for the use in a sustainable location. There would also be minimal harm to the amenity of the neighbouring properties. Therefore it is considered to be acceptable in regards of Policies CP1, CP7, CP9, CP10 and CP12 of the adopted Core Strategy, Policy SA4 of the Site Allocations Local Development Document and Policies DM6, DM13 and Appendix 5 of the Development Management Policies Local Development Document
1. **Recommendation**
	1. That PLANNING PERMISSION BE GRANTED subject to the following conditions:
	2. Conditions

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

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

C2 The development hereby permitted shall be carried out in accordance with the following approved plans: APR/JR/117-001, APR/JR/117-002, APR/JR/117-003, APR/JR/117-004, APR/JR/117-005, APR/JR/117-006, APR/JR/117-007 and APR/JR/117-008

 Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies CP1, CP7, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policy SA4 of the Site Allocations Local Development Document (adopted November 2014) and Policies DM6, DM13 and Appendix 5 of the Development Management Policies Local Development Document (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)

 C4 Full details of the following shall be submitted to and approved in writing by the Local Planning Authority before the use commences, and the approved details shall be installed before the use hereby approved commences and shall thereafter be maintained:

(a) details of the extraction equipment and a noise report

Reason: In the interests of the residential amenity of surrounding properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C5 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).

C6 The use hereby permitted shall not operate other than between the hours of 11:00 – 23:00.

Reason: To safeguard the residential amenities of the occupiers of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 201

* 1. Informatives

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

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £97 per request (or £28 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Information and application forms are available at www.hertfordshirebc.co.uk. Alternatively the Council's Building Control section can be contacted on telephone number 01923 727130 or email building.control@hertfordshirebc.gov.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. Information on this is also available from the Council's Building Control section. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

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

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