

PLANNING COMMITTEE – 15 DECEMBER 2022

PART I - DELEGATED

22/1658/RSP- Part Retrospective: Part demolition of existing single storey side extension and construction of two storey side and rear extension with balcony, two storey rear extension, single storey rear extension with balcony, loft conversion including dormers to front and rear and rooflights, alterations to fenestration and extension and alterations to terrace including landscaping works and alterations to land levels at Keepers Lea, Old Shire Lane, Chorleywood, WD3 5PW

Parish: Chorleywood Parish Council

Ward: Chorleywood South and Maple Cross

Expiry of Statutory Period: 02 December 2022
(Extension agreed to 16 December)

Case Officer: Clara Loveland

Recommendation: That Part Retrospective Planning Permission be granted.

Reason for consideration by the Committee: Called in by three Members of the Planning Committee unless Officers are minded to refuse “to discuss the conformity of the balcony in the application within Appendix 2 – Design Criteria in the current Local Plan”. Also called in by Chorleywood Parish Council for the reasons set out at paragraph 4.1.1 below.

1 Relevant Planning History

1.1 18/0150/FUL - Part demolition of existing single storey side extension and construction of two storey side and rear extension with balcony, two storey rear extension, single storey rear extension with Juliet balcony, loft conversion including dormers to front and rear and rooflights, alterations to fenestration and extension and alterations to terrace. Approved, part implemented.

1.2 15/0540/FUL - Part demolition of existing single storey side extension and construction of two storey side and rear extension, two storey rear extension, single storey rear extension with Juliet balcony above and loft conversion including dormers to front and rear and extension and alterations to terrace. Approved.

1.3 07/1796/FUL - Erection of a two storey detached dwelling and attached garage and new access road. Refused:

R1: The proposal represents an unsatisfactory form of backland development served by a long access drive, resulting in a development unable to maintain the existing layout of the area with subsequent loss of residential amenity, resulting in a lowering of standard of residential development in the area. The proposals would be detrimental to the character of the area contrary to Policy H14 of the Three Rivers Local Plan 1996-2011.

1.4 03/0874/FUL - Erection of 2 detached bungalows. Refused:

R1 The level of annual dwelling completions in Three Rivers is such that without intervention, the allocated number of dwellings for the District is likely to be significantly exceeded. Policy H3 of the adopted Local Plan provides the appropriate mechanism to restrain further release of housing sites and is considered relevant in this case. The proposal is considered to be contrary to Policy H3 (1) (iii) and H3 (3) of the adopted Local Plan.

R2 The proposal represents an unsatisfactory form of backland development served by a long access drive, resulting in a development unable to maintain the existing layout of the

area with subsequent loss of residential amenity, resulting in a lowering of standard of residential development in the area. The proposals would be detrimental to the character of the area contrary to Policy H14 of the Three Rivers Local Plan 1996-2011.

- 1.5 02/00034/FUL - First floor side extension, and conservatory rear. Approved.
- 1.6 01/01480/CLPD - Certificate of lawfulness proposed use: Bay window extension. Approved.
- 1.7 01/01118/FUL - Erection of two dwellings with garages.
- 1.8 Relevant Enforcement History:**
- 1.9 22/0068/COMP Enforcement Enquiry - Erection of Fencing, outbuilding, ground level alteration and tree removal. Case pending, subject to this application.

2 Description of Application Site

- 2.1 The application site contains a two storey detached dwelling located along Old Shire Lane, Chorleywood. The property is set back from the highway and positioned on a higher land level in relation to the highway and is surrounded to the front by hard-standing serving as a driveway.
- 2.2 The front of the dwelling is characterised by a dark tiles roof and a multi brown and sand coloured brick. There are two front hipped projections and three front dormers. To the rear there two rear dormers and two, two storey hipped projection. There is also a first floor rear balcony. The rear garden is large in size and forms an 'L' shape and slightly increase in land elevation to the rear.
- 2.3 The application dwelling has more recently implemented planning permission 18/0150/FUL and works are substantially completed. Works have also been undertaken which fall outside of the approved plans, namely, the first floor rear balcony, fenestration alterations and landscaping and land level alterations within the rear garden.

3 Description of Proposed Development

- 3.1 This application seeks part retrospective planning permission for the part demolition of the existing single storey side extension and construction of a two-storey side and rear extension with balcony, two-storey rear extension, single-storey rear extension with balcony, loft conversion including dormers to front and rear and roof lights, alterations to fenestration and extension and alterations to terrace including landscaping works and alterations to land levels.
- 3.2 This application has come forward as a result of enforcement investigation 22/0068/COMP where it has been established that the development built on site does not accord with approved plans pursuant to 18/0150/FUL and requires planning permission.
- 3.3 Approved application 18/0150/FUL granted a *part demolition of existing single storey side extension and construction of two storey side and rear extension with balcony, two storey rear extension, single storey rear extension with Juliet balcony, loft conversion including dormers to front and rear and rooflights, alterations to fenestration and extension and alterations to terrace.* The broad footprint, dimensions and height of the extensions are as approved. However, some parts of the development have deviated from the approved plans as set out below.
- 3.4 The house as built and as shown on the approved drawings (18/0150/FUL) to be considered as part of this current application differ from the approved plans as follows:

- Removal of glazing bars across windows (lower half of windows within the existing dwelling and omission of glazing bars within the front, flank and rear elevations of the two storey extension);
- Removal of first floor flank window (bedroom 3);
- Alteration of window and door design within ground floor flanks serving 'living 3';
- Omission of glass roof within the two storey extension roof and replacement with 4 roof lights within each flank roofslope;
- Increase in height of the two rear dormers from a height of 1.8m to 2.2m and introduction of a 'cut-out' within the roof slope to enable to step onto 1 dormer and an associated hand-rail (closest to the two storey extension);
- Omission of Juliet balcony and addition of first floor rear balcony serving bedroom 1 (the first rear balcony has a width of 4.3m and depth of 1.2m with a 1m stone balustrade);
- Extension of driveway and addition of retaining wall with a maximum height of 1.2m along the north-eastern flank for a depth of 26m, extending up to the boundary with neighbour 'Heronsfield Lodge';
- Rear landscaping works include the addition of patio paving to the rear of the dwelling at ground level. The hard-standing will extend into the rear garden and be finished in gravel and paving slabs.
- The addition of a pond, gazebo area, fire pit and Jacuzzi, set into the ground;
- The addition of astro turf between the rear of the dwelling and the Jacuzzi area.

4 Consultation

4.1 Statutory Consultation

4.1.1 Chorleywood Parish Council: Objection and call in, unless minded to refuse.

Revised plans are unclear and need to be re-submitted to the Parish Council to be re-consulted on the amended plans.

Concerns the applicant has felled trees without permission given this area is in a designated as a semi/ancient woodland.

Concerns relating to overlooking into the neighbouring properties from the Juliet balcony.

The committee felt they could not comment on this application with any certainty because the proposal and plans are so ambiguous and the amendments are not at all clearly specified.

Officer comment: The application submission includes pre-existing plans and existing plans (as built onsite). A copy of the previously approved plans has also been provided. During the course of the application additional plans (sections) were provided to provide clarity on the works as built on site. The application site is close to but not within an area of ancient woodland.

4.1.2 HCC Footpath Section: No response received. Any response received will be verbally updated at Committee.

4.1.3 National Grid – No objection. Informative required.

Your planning application – No objection, informative note required

We have received a notification from the Line search beforeUdig (LSBUD) platform regarding a planning application that has been submitted which is in close proximity to our medium and low pressure assets. We have no objection to this proposal from a planning perspective, however we need you to take the following action.

What you need to do

To prevent damage to our assets or interference with our rights, please add the following Informative Note into the Decision Notice:

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions Prior to carrying out works, including the construction of access points, please register on www.lineearchbeforeudig.co.uk to submit details of the planned works for review, ensuring Requirements are adhered to.

Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications. Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at plantprotection@cadentgas.com or on 0800 688 588 quoting your reference at the top of this letter.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 9

4.2.2 No of responses received: 3 objection.

4.2.3 Site Notice: Posted 19.10.22. Expired 09.11.22.

4.2.4 Press notice: Published 21.10.22. Expired 11.11.22.

4.2.5 Summary of Responses:

- Overdevelopment;
- Overshadowing;
- Property considerably extended and not in keeping with original house;
- Loss of privacy – balconies and dormer windows;
- Difficult to see if further extensions are proposed or work to rectify what was originally approved;
- Huge amount of soil and rubble

- Ground level changes causing flooding in the future;
- Fence around the pond is not in keeping with the rural lane;
- Damage to endangered blue bells;
- Fence stops animals from accessing the water;
- Loss of privacy - balconies and extra windows;
- Loss of trees/reduction in tree heights;
- New concrete bases added.

5 Reason for Delay

5.1 Committee cycle.

6 Relevant Planning Policy, Guidance and Legislation

6.1 Legislation

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

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

6.1.3 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

On 20 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.

The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits unless there is a clear reason for refusing the development (harm to a protected area). Relevant chapters include: Chapter 2; Chapter 4; Chapter 16.

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

6.3 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, DM6, DM9, DM13, Appendix 2, and Appendix 5.

The Chorleywood Neighbourhood Development Plan is also relevant, specifically Policy 2.

7 Planning Analysis

7.1 Overview

- 7.1.1 This application has been submitted following enforcement investigation 22/0068/COMP which has determined that the development built on site does not accord with the approved plans as part of planning permission 18/0150/FUL and is not “permitted development” and therefore requires express planning permission. Some works on site remain ongoing. This application therefore seeks part retrospective planning permission.
- 7.1.2 During the course of the enforcement investigation it has also come to light that the works have resulted in an alteration of fenestration design and positioning, the introduction of a first floor rear balcony, a walk-on rear dormer window balcony, an extension of hard-surfacing and an engineering operation (ground level alterations).
- 7.1.3 The principle extensions have been approved via approved application 18/0150/FUL. Therefore, this application (22/1658/RSP) assess the planning acceptability of only the deviations from the approved plans. The changes between the approved scheme and the current scheme are listed at paragraph 3.4.
- 7.1.4 It should be noted that the principle of the development has been approved under planning application 18/0150/FUL. Therefore, this report assess only the deviations from the approved plans.

7.2 Impact on Character and Street Scene

- 7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.
- 7.2.2 Policy DM1 and Appendix 2 of the Development Management Policies Local Development Document (adopted July 2013) set out that development should not lead to a gradual deterioration in the quality of the built environment, have a significant impact on the visual amenities of the area and that extensions should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials.
- 7.2.3 Policy 2 of the Chorleywood Neighbourhood Plan is also relevant to this application and states: 'All development should seek to make a positive contribution to the 'street scene' by way of frontage, building line, scale and design'.
- 7.2.4 The majority of deviations are not visible from the wider street. It is further considered that the additional elements which had not previously been approved are not significant as to detract from or result in a loss of the integral character of the dwelling either as it previously existed or as approved to be extended, or the wider area. The window alterations, including

dormers(which remain subordinate within the roofslope) are broadly similar size and profile to the windows approved. It is therefore not considered that the removal of gazing bars, re-positioning of windows and doors, replacement of rooflights and dormer alterations result in any demonstrable harm to the overall character of the dwelling or wider street.

- 7.2.5 It is acknowledged that there would be some views of the window alterations within the front elevation. Also, the driveway which has been extended along the flanks of the dwelling increasing the extent of hard-standing at the site. However, it should be noted that the dwelling is set on a higher land level than the road and is screened by mature vegetation such that any views are limited. It should also be acknowledged that the wider street is varied with dwellings differing in style and design such that these alterations would not appear out of character with the wider area in anyway.
- 7.2.6 It is acknowledged that prior to works the rear garden was predominantly natural grass with a gradient increase in height to the rear. The rear garden has been altered by way of the addition of hard-surfacing and retaining walls and it is proposed to install amenity features including a Jacuzzi, fire pit pond, gazebo area and astroturf area. As a result of these features the rear garden would alter in appearance and would be viewed as more artificial in nature. Nevertheless, the rear garden changes would not be visible from the wider street and would be set within the ground at a limited height which would reduce their prominence. It should also be noted that the application site plot is large and when viewed in context of the wider site, the rear garden changes would not be overly dominant as to detract from the overall character of the existing dwelling or wider site in any way. It should be acknowledged that when viewed in the context of the wider site plot, the land retains its overall gradient, increasing to the rear. Thus, it is not considered the engineering operations to the rear of the site would be unacceptable with regard to any loss of character. The levels within the rear garden are provided within plan number (KLOSL-01-1001A) and supported by a section drawing within plan number KLOSL-01-1002A.
- 7.2.7 The first floor rear balcony is of a limited size and extent. It is also located to the rear of the dwelling and not visible from the wider street. It is considered acceptable in this regard.
- 7.2.8 Concerns of overdevelopment have been raised in neighbour objections. It should be noted that the principle extent of the extensions and footprint has been approved via approved planning application 18/0150/FUL. When considering the deviations from this permission in the context of what has already been approved, it is not considered the additional works subject of this application result in overdevelopment of the application site.
- 7.2.9 Therefore, the development would accord with Policy CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies Document (adopted July 2013) and the Chorleywood Neighbourhood Plan (2020).

7.3 Impact on amenity of neighbours

- 7.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels of disposition of privacy, prospect, amenity and garden space'.
- 7.3.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in the loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties. Appendix 2 states that development should not incorporate balconies, or first floor conservatories which overlook neighbour properties to any degree.
- 7.3.3 The window alterations with regard to the loss of glazing bars and re-positioning are within the ground floor and have not adverse impact on any neighbour.

- 7.3.4 Section drawings provided during this application demonstrate that the flank roof lights are positioned above the lounge area within a vaulted roof. Given their high positioning within the roof slope and the nature of the vaulted room in which they serve they give no rise to any unacceptable overlooking to any neighbour.
- 7.3.5 It is acknowledged that the rear dormer closest to neighbour Heronsmere to the north is 'cut-out' into the roof slope and has a walk on terrace area with a hand-rail. However the size and extent of the walk-on area is minimal and this area is obscured by the two storey side and rear extension which prevents unacceptable views across to Heronsmere. Given its limited size and positioning of the application dwelling and neighbour to the south, Grove Lodge, there would not unacceptable views or overlooking across to this neighbour.
- 7.3.6 Whilst objections with regard to loss of privacy are acknowledged, the first floor rear balcony would be screened by the extent of the existing dwelling with no views across to Heronsmere. Some views across to Grove Lodge would be visible from the first floor rear balcony. However, Grove Lodge is set further back than the application dwelling and as a result any views would be over the front driveway of this neighbour rather than any habitable amenity spaces or windows. It should be further noted that the application dwelling is set some 13m off the shared boundary which minimises views possible to some degree. Moreover, when reviewing the approved plans at Grove Lodge, pursuant to 20/0356/FUL, it would appear that Grove Lodge had flank windows approved only to non-habitable spaces at first floor level, which further ensures no opportunities for overlooking to this neighbouring dwelling.
- 7.3.7 The rear garden ground alterations including the Jacuzzi, fire pit, pond, gazebo area and astroturf area are of a limited height and set within the ground. It is not considered they would give rise to any unacceptable overlooking, loss of light or intrusion to any neighbour. It is acknowledged that concerns have been raised regarding the potential extent of rear garden works. The proposed levels within the rear garden are provided within plan number (KLOSL-01-1001A) and supported by a section drawing within plan number KLOSL-01-1002A. Plans demonstrate that the levels would broadly follow the natural increase in height of the site towards the rear and features such as the Jacuzzi area, fire pit and gazebo area are to be set within the ground and of a minimal height. This application does not seek any additional structures within the rear garden of any substantial height. Should the applicant wish for further built form within the site this may require planning permission in its own right and does not fall within the scope of this application.
- 7.3.8 The proposal would not arise in significant harm to adjacent neighbours and would accord with CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies Document (adopted July 2013).

7.4 Traffic and Car Parking

- 7.4.1 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 and require three spaces for a four or more bedroom dwelling. The hardstanding to the frontage would be retained and is large enough to accommodate at least three cars in accordance with the Council's adopted parking standards. It is therefore considered that the proposed development is acceptable in parking terms.

7.5 Wildlife and Biodiversity

- 7.5.1 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.

7.5.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application.

7.5.3 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.

7.6 Trees and Landscaping

7.6.1 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.

7.6.2 The proposal does not impact any trees.

7.6.3 It is acknowledged that concerns regarding the removal of trees has been raised by consultees and neighbours. It should be noted that the application site is not within a Conservation Area and does not benefit from designated TPOs. As such, the removal of trees from the site is not considered justification for refusal of this application.

8 **Recommendation**

8.1 That PART RETROSPECTIVE PLANNING PERMISSION BE GRANTED subject to the following conditions:

C1 Those parts of the development hereby permitted which have not been undertaken as of yet shall be carried out in accordance with the following approved plans:

Pre-existing plans: EX02; EX03; EX04; EX05; EX06; EX07. Proposed Plans: KLOSL-0-1003; KLOSL-01-1001A; KLOSL-01-1002A.

Reason: For the avoidance of doubt, in the proper interests of planning and residential amenity 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 Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Chorleywood Neighbourhood Plan (2020).

C2 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).

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 who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - 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 Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.**