

## PLANNING COMMITTEE – 7 NOVEMBER 2024

### **24/1316/FUL - Demolition of part of existing boundary wall; construction of fencing and gate; extension of gravel drive at SOLESBRIDGE HOUSE, SOLESBRIDGE LANE, CHORLEYWOOD, RICKMANSWORTH, WD3 5SR**

Parish: Chorleywood Parish Council  
Expiry of Statutory Period: 15.11.2024 (EOT)

Ward: Chorleywood North and Sarratt  
Case Officer: Alannah Stringer

Reason for consideration by the Committee: The application is brought to Committee as the agent for the application is a District Councillor.

Recommendation: That planning permission be GRANTED subject to conditions.

To view all documents forming part of this application please go to the following website:  
[24/1316/FUL | Demolition of existing boundary wall; construction of fencing and gate; extension of gravel drive | Solesbridge House Solesbridge Lane Chorleywood Rickmansworth Hertfordshire WD3 5SR](#)

### **24/1317/LBC – Listed Building Consent: Demolition of part of existing boundary wall; construction of fencing and gate; extension of gravel drive at SOLESBRIDGE HOUSE, SOLESBRIDGE LANE, CHORLEYWOOD, RICKMANSWORTH, WD3 5SR**

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Recommendation: That listed building consent be GRANTED subject to conditions.

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#### **1 Relevant planning history**

- 1.1 04/0721/LBC - Listed Building Consent: Internal alterations to existing dressing room, installation of new drainage. Permitted.
- 1.2 03/0635/FUL - Conversion of existing garage into habitable accommodation. Permitted.
- 1.3 03/0636/LBC - Listed Building Consent: Conversion of existing garage into habitable accommodation.
- 1.4 8/114/85 - (Outline) Conversion and extension of barn to form detached dwelling with double garage and erection of detached dwelling with double garage. Refused.

## **2 Site description**

- 2.1 The application site is located on the western side of Solesbridge Lane, Chorleywood, adjacent to the junction with the Chess Valley Walk (Public footpath Chorleywood 002) which is set to the east boundary of the site. Solesbridge Lane has an irregular street scene, comprised of terraced cottages and larger detached dwellings on plots of varying scale.
- 2.2 Neighbouring the host dwelling to the north is Abhishek, a two storey detached dwelling; set to the west of the site is 16 The Readings, a two storey detached dwelling. To the south of the site, on the east side of Solesbridge Lane, are a number of detached properties of varying architectural style set back from the highway with wide access points and extensive hard standing driveways. It is noted that whilst each property on Solesbridge Lane is unique in style, design, plot and placement, the character of Solesbridge Lane is derived from the extensive greening and soft landscaping to the site frontages. A number of dwellings within the wider context of Solesbridge Lane have gated access.
- 2.3 Solesbridge House is a grade II listed building, of early to mid-17<sup>th</sup> century origin, which has been subject to alterations and extensions throughout the 19<sup>th</sup> and 20<sup>th</sup> centuries. Views of the host dwelling are limited from Solesbridge Lane due to the existing trees, vegetation and hedging to the site boundaries.
- 2.4 The host dwelling is set to the northeast side of the site, which is comprised of a large garden which wraps around the dwelling from the south to the northeast. The garden is set at varying land levels, and the southeastern aspect of the garden is set at a significantly higher land level than the highway and appears to be set with a modern retaining wall to the front boundary of the site, which adjoins the original curved brick and stone wall.
- 2.5 The site is accessed via dropped kerb and gated entry off of Solesbridge Lane. There is some facility for pedestrian access. To the southeast boundary of the site is an original brick and flint wall which curves inward to provide access to the driveway, adjoining a small timber fence which is attached to the retaining brick wall.
- 2.6 From west to east, abutting the eastern boundary, is a timber gate which adjoins the retaining brick wall to the north end which provides vehicular access. The timber gate access is set back from the highway by approximately 3.5m and splayed towards the north at a roughly 45 degree angle to the highway.

## **3 Description of proposed development**

- 3.1 The two applications seek full planning permission and Listed Building Consent for the demolition of part of the existing boundary wall; construction of fencing and gate; extension of gravel drive.
- 3.2 To widen the access and create provision for additional hardstanding and parking provision, the removal of the eastern part of the retaining wall is proposed, along with the removal of some scrub and trees. In addition, the land to the west of this wall (which is raised approximately 1m above the main driveway level) is proposed to be excavated to remove part of the raised area. To the west, southwest and southeast of the proposed gravel drive a retaining brick wall, with a height of approximately 0.6m, is proposed. One Silver Birch tree is proposed to be removed, and either relocated or replaced to the southeast garden area within the site, alongside the planting of 4 additional native trees to replace those removed.

- 3.3 The proposed extension of the existing gravel drive would result in approximately 100sqm of gravel hard standing being laid to facilitate off street parking provision for four vehicles to the southeast of the site, set behind the original front brick and flint wall. Granular drainage is proposed to a granular filled soakaway, details of the location of the drainage system and soakaway are limited.
- 3.4 A timber gate finished in natural is proposed to the east boundary of the site, adjoining the original rounded brick and stone wall, to replace the existing retaining wall and gated vehicular access point. The timber gate would have braced pair gate structures with black hinges and electrical mechanism opening and be set back from the edge of the carriageway by approximately 5m and would open inwards. A pedestrian gate is proposed to the northeast of the proposed gravel driveway, set from west to east, abutting the eastern boundary.
- 3.5 Amended plans were received during the course of the application following consultation with the Conservation Officer to alter the proposed landscaping arrangements and to provide additional information regarding the proposal. The amended existing and proposed block plans clarify the existing landscaping arrangements including the existing provision of soft landscaping to the south elevation of the Listed Building. Further details of the removal of existing scrub and trees from the eastern boundary and the proposed areas of replanting have been provided alongside a marginal reduction in the proposed extension of hardstanding. Additionally, plans indicating the existing and proposed east site road elevation, a section through proposed parking and a partial elevation of the proposed retaining brick wall have been submitted for consideration.

#### **4 Consultee responses**

4.1 National Grid – [No response received]

4.2 TRDC Tree Officer - [No response received]

4.3 Chorleywood Parish Council –

*Defer to Conservation Officer.*

4.4 Hertfordshire County Council Highways –

*Proposal*

*Demolition of existing boundary wall; construction of fencing and gate; extension of gravel drive*

*Recommendation*

*Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.*

*Highway Informatives*

*Hertfordshire County Council (HCC) recommends inclusion of the following highway informatives /advisory notes (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:*

*AN) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the*

party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

AN) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx>

AN) The Public Right of Way should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/rights-of-way.aspx>

#### Comments

There is an existing vehicle access into the property from Solesbridge Lane, which is designated as a classified C local access road, subject to a speed limit of 30mph and is highway maintainable at public expense. Solesbridge lane is classed as P2/M1 on HCC's Place & Movement Network.

Public footpath Chorleywood 2 runs adjacent to the eastern boundary of the property.

The proposals utilise the existing access point / dropped kerb from the highway and the proposals do not include any changes to the highway albeit the driveway would be approached at a different angle. The proposals are shown on drawing number 2366/SK/500 and include a larger new driveway with space for four car parking spaces replacing the existing smaller driveway and new vehicular entrance gates in a new location (following the removal of the existing vehicular gates)

The levels of visibility available at the access point onto the highway would remain as existing.

The proposed entrance gates are set back approximately 5 to 6m from the edge of the highway carriageway and would open inwards, which would be a sufficient distance for a vehicle to stand clear of the highway carriageway whilst the gates are being opened and/or closed.

The proposed driveway would be of a large size and therefore should facilitate vehicles to be able to turn around on site, and although would not necessarily be a requisite when egressing onto a local access road, would be encouraged when taking into account the nature of the access onto a classified road.

*Following consideration of the proposals which are essentially a rearrangement of an existing access point, HCC has no objections or further comments on highway grounds to the application and would not wish to object to the granting of planning permission, subject to the inclusion of the above highway Informatives which would be important considerations throughout the construction period.*

#### 4.5 Conservation Officer – Consultation 1

*I appreciate that the applicants may want additional parking, but there are concerns regarding the width of the opening, the quantity of hardstanding and loss of the trees. The listed building is set in quite a secluded and verdant plot, there are concerns that the proposal would detract from this.*

*I have no objection to the removal of the modern brick wall, but I would recommend that the hardstanding and width of the opening is reduced to a more modest scale. I would also recommend that more trees are retained to preserve the setting of the listed building (the legend on their drawings indicates replacement trees but none are shown on the proposed plans). They may be able to achieve this by slightly widening the existing access rather than opening the entire frontage and repositioning the access. They would also be retaining some pedestrian access to the side of the house but there is no information on this matter as it is not shown on the elevation plans.*

#### 4.6 Conservation Officer – Consultation 2

*The removal of the wall would not raise any objection, it is a modern wall of limited interest. Previous advice raised concerns regarding the loss of the landscaping which would detract from the secluded setting of the listed building and result in hardstanding and parked cars to be widely visible. The amended plans show that the only planting to be removed would be behind the wall proposed for removal and would be reinstated north of the driveway. The shrubs and trees to the front of the house would be retained. This is considered sufficient to overcome previous concerns.*

*It is positive that the cars would be moved away from the house. However, I recommend that the implementation and retention of the pedestrian gate and fencing is secured through a condition. This would ensure that the hardstanding around the front and side of the house could not be used for parking. Details of the gate and fence should also be secured through a condition as it has not been shown on the elevation plans.*

### **5 Neighbour consultation**

5.1 Site Notice Posted: 27.08.2024. Expired: 17.09.2024.

5.2 Press Notice Published: 06.09.2024. Expired: 27.09.2024.

5.3 No. consulted: 5. No. of responses: 0

5.4 Summary of responses: [No responses received]

### **6 Relevant Local and National Planning Policies**

#### **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).

S16(2) of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant listed building consent.

S66(1) of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant planning permission.

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.

The Environment Act 2021.

## **6.2 Policy/Guidance**

National Planning Policy Framework and National Planning Practice Guidance

In December 2023 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The 2023 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).

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.

The Chorleywood Neighbourhood Plan (Referendum Version August 2020) is also relevant.

## **7 Analysis**

## 7.1 Design and impact on the Host Dwelling and Heritage Assets

- 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. 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' and 'conserve and enhance natural and heritage assets.'
- 7.1.2 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 or have a significant impact on the visual amenities of the area. As set out Appendix 2, new development should not be excessively prominent in relation to adjacent properties or general street scene and as set out in Policy 2 of the Chorleywood Neighbourhood Plan, any development should lead to a positive contribution to the street scene and be in keeping with the special characteristics of the area.
- 7.1.3 The application dwelling at Solesbridge House is a Grade II Listed Building. Policy DM3 of the Development Management Policies Local Development Document (adopted July 2013) sets out that when assessing applications for development, there will be a presumption in favour of the retention and enhancement of heritage assets to secure their future protection. Applications will only be supported where they sustain, conserve and where appropriate enhance the significance, character and setting of the asset itself and the surrounding historic environment. Policy DM3 also outlines that:
- b) Listed Buildings*
- The council will preserve the District's Listed Buildings and will only support applications where:*
- ii) The extension/alteration would not adversely affect its character as a building of special architectural or historic interest both internally or externally or its wider setting.*
- 7.1.4 Policy 1 of the Chorleywood Neighbourhood Plan states that 'the historic heritage within the plan area will... be conserved, and wherever possible, enhanced through positive action.'
- 7.1.5 The proposal seeks to remove the parking of cars from the immediate vicinity of the Grade II Listed Building, Solesbridge House and provide car parking to the south of the dwelling, as well as improve vehicular access.
- 7.1.6 Whilst the extension of the gravel driveway would remove landscaping from the eastern (front) boundary of the site, the relocation of the site's off street parking would limit the views of modern cars within the context of the listed building when viewed from the highway. The Conservation Officer notes that the removal of cars to a position away from the host dwelling would positively benefit the site and that the relocation and replanting of landscaping features is sufficient to overcome the initial concerns regarding the extent of hardstanding given that the shrubs and trees are retained to the principal elevation of the host dwelling. This aligns with Policy 1 of the Chorleywood Neighbourhood Plan and DM3 of the DMP LDD which both seek to protect and enhance designated heritage assets. Furthermore, it is considered that the proposed scheme would result in the obscuring of parked vehicles given the proposed hard landscaping's location behind the original brick and flint rounded wall and allow for greater views of the listed building.

- 7.1.7 The Conservation Officer recommends that a series of conditions are attached to ensure that the hardstanding to the front and side of the house cannot be used for parking. In line with the Conservation Officers recommendations, it is considered appropriate to add a series of conditions to safeguard the setting of the Grade II Listed Building given the heritage justifications for the proposal given by the applicant.
- 7.1.8 Given the above, it is not considered that the proposal, subject to conditions, would result in harm to the heritage asset. Whilst more information is required regarding materials, landscaping and the location and design of the proposed drainage system can be secured via pre-commencement conditions.
- 7.1.9 Additionally, it is considered that the proposed development would not be inconsistent with the existing street scene and wider context of Solesbridge Lane given the retention of various soft landscaping features and mature trees to the eastern boundary which provides substantial greening. It is also considered the relocation of the vehicular access and addition of timber fencing and gates would be appropriate given extensive hard standing driveways and gated access in the vicinity of the site, subject to the approval of details regarding the materials and elevations of the proposed retaining walls, fences, gates and levels to ensure the setting of the listed building is safeguarded from inappropriate materials and development.
- 7.1.10 In summary, the proposed development would not result in any adverse harm to the character or appearance of the street scene or listed building. The development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy, Policy DM1, DM3 and Appendix 2 of the Development Management Policies LDD (2013) and the Chorleywood Neighbourhood Plan (2020).

## 7.2 Impact on 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 of disposition of privacy, prospect, amenity and garden space'.
- 7.2.2 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.
- 7.2.3 Given the location and scale of the proposed works, it is not considered that the residential amenity of adjoining neighbours would be unduly affected by the proposal.
- 7.2.4 In summary, the proposed development would not result in any adverse impact on any neighbouring dwelling and the development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

## 7.3 Highways and parking provision

- 7.3.1 Core Strategy Policy CP10 (adopted October 2011) requires development to make adequate provision for all users, including car parking. Policy DM13 in the Development Management Policies document (adopted July 2013) states that development should make provision for parking in accordance with the Parking Standards set out within Appendix 5.
- 7.3.2 Floor plans of the host dwelling have not been provided; however, the proposal does not include an increase in bedrooms. The proposed development would result in the addition of 2 off street parking spaces, resulting in 4 off street parking spaces.



Therefore, it is considered that there would be adequate parking provision to accommodate the proposed development and serve the dwellinghouse in line with the car parking standards and the proposal is acceptable in this regard.

7.3.3 HCC Highways have not raised any objections to the proposed scheme and have advised the inclusion of Informatives.

#### 7.4 Wildlife considerations

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. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.

7.4.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies 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.

7.4.3 A Biodiversity Checklist was submitted with the application and 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 bats (or other protected species) within the immediate area that would necessitate further surveying work being undertaken.

#### 7.5 Mandatory Biodiversity Net Gain

7.5.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions, and an exemption applies in relation to planning permission for a development which is the subject of a householder application, within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order (2015).

7.5.2 The applicant has confirmed that if permission is granted for the development to which this application relates the biodiversity gain condition would not apply because the application relates to householder development.

#### 7.6 Rear amenity

7.6.1 Policy CP12 of the Core Strategy states that development should take into account the need for adequate levels and disposition of amenity and garden space. Section 3 (Amenity Space) of Appendix 2 of the Development Management Policies document provides indicative levels of amenity/garden space provision.

7.6.2 The proposed development would not increase the number of bedrooms and as such there would be no additional requirement for rear amenity space. Whilst the proposed development would result in a reduction of approximately 100sqm of amenity space, the site would retain a minimum of approximately 650sqm of amenity space which

exceeds the standards set within Appendix 2 of the DMP LDD. The proposal is therefore considered acceptable in this regard.

## 7.7 Trees and landscape

7.7.1 Policy DM6 of the DMP 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.

7.7.2 Policy 2 of the Chorleywood Neighbourhood Development Plan sets out that:

*Developments must incorporate high quality landscape design and maximise opportunities for greening through planting of trees or hedging and other soft landscaping that contribute to the streetscape and character of the area.*

7.7.3 The application site is not located within a Conservation Area, and no trees within the site are protected however the proposals result in the removal of a number of immature trees and shrubs, as well as a Silver Birch. The scheme includes the replanting of 4 native trees and the relocation or replacement of the Silver Birch to the west of the proposed gravel drive.

7.7.4 The Landscaping Officer has not provided comments; however, the Conservation Officer has noted that '*...the amended plans show that the only planting to be removed would be behind the wall proposed for removal and would be reinstated north of the driveway. The shrubs and trees to the front of the house would be retained. This is considered sufficient to overcome previous concerns.*' As the acceptability of the proposal is based, in part, on the provision of landscaping within the site to offset the proposed extension to hardstanding, it is considered appropriate to attach a condition relating to the provision of additional landscaping details.

7.7.5 Given the replanting or replacement of the mature tree and the proposed planting of four additional trees to the west of the driveway the application is considered acceptable in this regard.

## 8 **Recommendation**

8.1 That **PLANNING PERMISSION 24/1316/FUL 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: 2366SK500 REV A and 2366SK501 REV A and the Heritage Statement (Design and Access Statement).

Reason: For the avoidance of doubt, and in the proper interests of planning and to safeguard the character and appearance heritage asset in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6 and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013) and Policies 1 and 2 of the Chorleywood Neighbourhood Development Plan (Referendum Version August 2020).

- C3 Prior to the commencement of the construction of the retaining wall hereby approved, samples and details of the proposed materials for the proposed retaining wall shall be submitted to and approved in writing by the Local Planning Authority and no materials shall be used other than those approved.

Reason: To prevent the development being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1, Policy DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C4 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development. The scheme shall include details of size, species, planting heights, densities and positions of any proposed soft landscaping, and a specification of all hard landscaping including locations, materials and method of drainage.

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

All soft landscaping works required by the approved scheme shall be carried out before the end of the first planting and seeding season following first occupation of any part of the buildings or completion of the development, whichever is sooner.

If any existing tree shown to be retained, or the proposed soft landscaping, are removed, die, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (i.e. November to March inclusive).

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area, on the setting of the listed building and to ensure adequate drainage in the interests of highway safety. It is required to be a pre commencement condition to enable the LPA to assess in full the trees to be removed and the replacement landscaping requirement before any works take place, and to ensure trees to be retained are protected before any works commence in the interests of the visual amenity of the area in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM3, DM6 and DM8 of the Development Management Policies LDD (adopted July 2013).

- C5 The proposed timber gates and fencing hereby permitted shall be installed prior to the first use of the extended driveway hereby approved, with the gates to facilitate vehicular access retained as inward opening at all times. The gates and fencing shall be maintained as such thereafter.

Reason: To safeguard highway users by minimising danger and obstruction to the adjacent highway and to safeguard the setting of the Grade II Listed Building by preventing the parking of additional cars immediately adjacent to the building, in accordance with CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

## 8.2 24/1316/FUL 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 £145 per request (or £43 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 01438 879990 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 ([cil@threerivers.gov.uk](mailto:cil@threerivers.gov.uk)). 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.

Following the grant of planning permission by the Local Planning Authority it is accepted that new issues may arise post determination, which require modification of the approved plans. Please note that regardless of the reason for these changes, where these modifications are fundamental or substantial, a new planning application will need to be submitted. Where less substantial changes are proposed, the following options are available to applicants:

{b (a)} Making a Non-Material Amendment

{b (b)} Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (<https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy>).

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. Further information on how to incorporate changes to reduce your energy and water use is available at:

<https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home>

- 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.
- 14 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
  - a) a Biodiversity Gain Plan has been submitted to the planning authority, and
  - b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Three Rivers District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply.

Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

Where the local planning authority considers that the permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990, the permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun, and, if subject to phased development, before each phase of development may be begun.

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

More information can be found in the Planning Practice Guidance online at <https://www.gov.uk/guidance/biodiversity-net-gain>.

15 Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made-up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

16 Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

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

8.3 That **LISTED BUILDING CONSENT 24/1317/LBC BE GIVEN** 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: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- C2 Prior to the commencement of the construction of the retaining wall hereby approved, samples and details of the proposed materials for the proposed retaining wall shall be submitted to and approved in writing by the Local Planning Authority and no materials shall be used other than those approved.

Reason: To prevent the development being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1, Policy DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

#### 8.4 24/1317/LBC 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 £145 per request (or £43 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 01438 879990 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 ([cil@threerivers.gov.uk](mailto:cil@threerivers.gov.uk)). 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.

Following the grant of planning permission by the Local Planning Authority it is accepted that new issues may arise post determination, which require modification of the approved plans. Please note that regardless of the reason for these changes, where these modifications are fundamental or substantial, a new planning application will need to be submitted. Where less substantial changes are proposed, the following options are available to applicants:

{b (a)} Making a Non-Material Amendment

{b (b)} Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any

doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (<https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy>).

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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 applicant is reminded that the development subject of this grant of listed building consent must be carried out in accordance with the submitted documents including 2366SK500 REV A, 2366SK501 REV A and the Heritage Statement (Design and Access Statement).