

PLANNING COMMITTEE – 11 December 2025

25/1851/FUL - Variation of Condition 2 (plans) pursuant to planning permission 23/1619/FUL to allow the omission of central ridge spanning the front facing gables, and alteration to the window blades on the front elevation at GARAGES BETWEEN 83 AND 89 THE QUEENS DRIVE, MILL END

Parish: Chorleywood Parish Council
Expiry of Statutory Period: 22 December 2025

Ward: Penn and Mill End
Case Officer: Adam Ralton

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: The application is on Three Rivers District Council owned land.

To view all documents forming part of this application please click on the link below:

<https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=T4S24BQFILF00>

1 Relevant Planning History

- 1.1 18/0322/FUL: Demolition of existing garages and construction of three linked two storey buildings consisting of a total of 6 flats for temporary accommodation with associated car parking and landscaping. Approved July 2018. Planning permission was not implemented and has expired.
- 1.2 23/1619/FUL: Demolition of existing garages and construction of two storey block comprising of 6no. 2 bed 4 person flats with associated bin and bike storage, access, parking and landscaping works. Approved November 2023.

2 Description of Application Site

- 2.1 The application site is located to the north western side of The Queens Drive, south west of its junction with Quickwood Close. The site contains five linked single storey flat roofed garage blocks, containing a total of 22 garages. They are arranged broadly in a U-shape, facing The Queens Drive, with a large concrete forecourt area and access drive. The closest parts of the garages to The Queens Drive are set approximately 20 metres back from the road.
- 2.2 The application site is located on the outside of a bend in The Queens Drive. The site is bound by The Queens Drive to the south-east, No. 83 The Queens Drive to the south, No. 89 The Queens Drive to the north east, and a narrow band of woodland forming part of Pheasants Wood to the west and north with the M25 immediately beyond this woodland. The land to the rear, including Pheasant's Wood, is within the Green Belt. The woodland is identified in the Local Plan as Open Space and a Local Wildlife Site.
- 2.3 The Queens Drive is characterised primarily by two storey semi-detached and terraced dwellings. The dwellings generally have pitched or hipped tiled roofs, and the majority benefit from at least one off-street car parking space within a front forecourt area. The neighbouring houses have ground to ridge heights of approximately 8.1 metres.

3 Description of Proposed Development

- 3.1 This application seeks to vary condition 2 attached to the previous grant of planning permission for the demolition of all existing garage buildings and the construction of a two storey building containing six two-bedroom flats (23/1619/FUL) in order to allow changes to the design of the approved building. Condition 2 attached to the planning permission reads as follows:

The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. 1001, 1010, 1050 A, 1055 A, 1060 A, 1070 A, 1071, 1100, 1101, 1200, 1400 and 2023/7170/003 P1.

Reason: For the avoidance of doubt, in the proper interests of planning and in accordance with Policies PSP1, CP1, CP6, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2, DM4, DM6, DM8, DM9, DM10, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

- 3.2 The proposed variation would allow two changes to the approved scheme:

- Change to the roof, removing the central ridge
- Change to the front-projecting window blades, retaining their approved depth but removing the sill/lower portion.

- 3.3 The previously approved development was described as follows, which remains relevant:

- 3.3.1 *The submitted plans show the building would be brick built and be two storeys high with a pitched roof. The building would be approximately 8.5 metres high to the ridge and 5.6 metres to eaves. It would be approximately 24 metres wide and 12 metres deep. The front elevation would contain three gable roof forms. The larger front windows would be surrounded by projecting frames and would have brick panelling at first floor level.*

- 3.3.2 *The proposed building would be set approximately 24 metres back from the edge of the footway along The Queens Drive. The existing vehicular access would be widened to provide entrance to a new parking forecourt containing 10 car parking spaces. Bin and bicycle stores are proposed to the southern boundary of the site, and soft landscaping areas proposed to be introduced to both sides of the front forecourt and between the spaces.*

- 3.3.3 *The existing footpath to the north of the site through to the rear would be retained.*

- 3.3.4 *The application is accompanied by the following supporting documents:*

- *Affordable Housing Statement.*
- *Biodiversity Net Gain Report (LC Ecological Services, August 2023).*
- *Design and Access Statement (Black Architecture August 2023).*
- *Ecological Appraisal (LC Ecological Services, August 2023).*
- *Energy Statement (Etude, August 2023).*
- *Noise and Vibration Impact Assessment Report (KP Acoustics, March 2023).*
- *Phase 1 Desktop Study Report (Opus, December 2017).*
- *Transport Statement (RGP, August 2023).*
- *Tree constraints impact assessment and tree protection method statement for new dwellings (B.J.Unwin Forestry Consultancy, August 2023).*

3.4 It should be noted that during the course of this application amended plans were received. The amended plans:

- Amended the proposed landscaping plan, to show the boundary treatment details which were subject of the original approval.
- Changed the nature of the alteration to the front window blades. On submission, the proposal was to reduce their depth. However, following receipt of feedback on this, the depth has been retained but the bottom part (sill) of the blade removed.

4 Consultation

4.1 Statutory Consultation

4.1.1 Chorleywood Parish Council: [Object]

The Committee had Objections to this application on the following ground and wish to CALL IN, unless the Officers are minded to refuse.

Reduction in the scale of the windows blades will have a significant negative impact on the privacy of the neighbouring properties (83 and 89 The Queens Drive) through overlooking of the existing properties bedrooms and gardens immediately behind the houses from the first-floor living accommodation of the new homes. With the positioning of the new dwellings to an angle behind the neighbouring properties, this can only be addressed by either angling the glazing on the outside windows or providing window blades (as given in the existing permission) to block the views of the neighbouring property.

Should the plans or supporting information be amended by the Applicant, please advise the Parish Council so the comments can be updated to reflect the amended plans / information.

OFFICER COMMENT: Following receipt of amended plans changing the window blade arrangement, the parish have been notified and any further comments will be reported at the committee meeting.

4.1.1.1 Chorleywood Parish Council (Second response): [No objections]

I have reviewed the amended plans and, on the basis of these, I am happy to remove our Call-In and revise our comments to “No objections”.

4.1.2 National Grid:

Not received at the time of drafting report. Comments received will be reported at committee.

4.2 Public/Neighbour Consultation

4.2.1 Site Notice: Displayed 3 November 2025, expired 24 November 2025.

4.2.2 Number consulted: 30

4.2.3 No of responses received: 2 objections received

4.2.4 Summary of objections:

- Window blades were designed to give privacy to neighbours, depth will be reduced from 51cm to 47cm, changing line of sight and allowing increased views of neighbour.
- Design looks more like flats, out of keeping with the road.
- External stairways should be made internal as will look out of character and could lead of behaviour issues.

5 Reason for Delay

5.1 No delay.

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 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).

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.

6.1.4 The Environment Act 2021.

6.2 Policy & Guidance

National Planning Policy Framework and National Planning Practice Guidance

6.2.1 In December 2024 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

6.2.2 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

6.2.3 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.

6.2.4 The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include PSP3, CP1, CP2, CP3, CP4, CP8, CP9, CP10 and CP12.

- 6.2.5 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, DM4, DM6, DM8, DM9, DM10, DM13 and Appendices 2 and 5.
- 6.2.6 The Site Allocations Local Development Document (SALDD) was adopted on 25 November 2014 having been through a full public participation process and Examination in Public.
- 6.2.7 Chorleywood Neighbourhood Development Plan 2020-2035 (August 2020 Referendum Version, adopted May 2021)
- 6.3 Other
- 6.3.1 The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).
- 6.3.2 Affordable Housing SPD (June 2011).

7 Planning Analysis

7.1 Background / Principle of Development

- 7.1.1 As noted above, planning application 23/1619/FUL permitted the demolition of the existing garages and construction of two storey block comprising of 6no. 2 bed 4 person flats with associated bin and bike storage, access, parking and landscaping work. A copy of that committee report is attached at **Appendix A**.
- 7.1.2 The 2023 planning permission remains extant and there are not considered to have been any material changes to site circumstances or planning policy since its grant. The following analysis therefore focuses on the proposed changes as set out at 3.2 above and their impact on the character and appearance of the area and residential amenity, and any other relevant material considerations. The previously approved and current proposed elevations are shown in **Appendix B**, along with a section of photographs of the site.

7.2 Impact on the character and appearance of the street scene and locality, and on the adjacent Green Belt

- 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'.
- 7.2.1 In terms of new residential development, Policy DM1 of the DMLDD advises that the Council will protect the character and residential amenity of existing areas of housing from forms of 'backland', 'infill' or other forms of new residential development which are inappropriate for the area. Development will only be supported where it can be demonstrated that the proposal will not result in:

- i. Tandem development;
- ii. Servicing by an awkward access drive which cannot easily be used by service vehicles; [This point will be assessed separately below]
- iii. The generation of excessive levels of traffic; [This point will be assessed separately below]
- iv. Loss of residential amenity; [This point will be assessed separately below]
- v. Layouts unable to maintain the particular character of the area in the vicinity of the application site in terms of plot size, plot depth, building footprint, plot frontage width, frontage building line, height, gaps between buildings and streetscape features (e.g. hedges, walls, grass verges etc.)

7.2.2 The Chorleywood Neighbourhood Plan is also relevant. Policy 2 of the Chorleywood Neighbourhood Plan states:

'All development should seek to make a positive contribution to the 'street scene' by way of frontage, building line, scale and design.

And

Development proposals should seek to maintain local distinctiveness through the built environment, in terms of buildings and public spaces, and enhance the relationships and linkages between the built and natural environment

7.2.3 As explained as part of the assessment of the previous application, the application site contains single storey flat roofed garage buildings, and is in an area characterised primarily by two storey pairs of semi-detached dwellings, with some terraces of three or four dwellings also found. The dwellings have a mix of hipped roofs, and pitched roofs, with front projecting gables also being a common feature in the street. The principle of a two storey development on this site has been accepted, and this application seeks to revise the design of the building, to remove the single central ridge running across the width of the building. This would change the appearance of the building somewhat, with the three pitched roofs with gables to the front and rear becoming more prominent as a result of the loss of the roof which infilled the gaps between the gables and provided a solid backdrop.

7.2.4 Whilst this has the effect of visually breaking the building vertically into three elements, the fenestration arrangement to the front and rear façade remains unchanged and consistent. The front gable roofs remain unchanged, and reflect the design of neighbouring properties which have front projecting gable features. The loss of the central parts of the roof reduce the impact of the roof form and reduce the overall massing of the proposed building. Whilst the change will be notable, it is not considered to result in any harm to the character or appearance of the street scene or wider area.

7.2.5 The application also proposes a small alterations to the design of the window blades, with the removal of the lower cill. The blades remain otherwise unchanged and it is not considered the alterations would result in any harm or detrimental effect on the appearance of the building overall.

7.2.6 The proposed development would be visible from the Green Belt to the rear of the site. However, due to the separation distance (approximately 6 metres from the boundary), that the site is previously developed and that the built form would be set back from the Green Belt boundary further than the existing garage buildings, and given the siting is unchanged since the previous approval and the

massing reduced, it is not considered that the proposal as amended would have any adverse impact on the openness of the Green Belt.

- 7.2.7 In summary, it is considered that the proposed building would be of a layout and appearance that would not have a detrimental impact on the character or appearance of the area. The proposal would accord with Policies CP1 and CP12 of the Core Strategy, DM1 of the Development Management policies LDD or Policy 2 of the Chorleywood Neighbourhood Plan.

7.3 Impact on amenity of neighbouring properties

- 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 and disposition of privacy, prospect, amenity and garden space'.

7.3.2 Privacy

- 7.3.2.1 In respect of privacy, Appendix 2 sets out that "distances between buildings should be sufficient so as to prevent overlooking, particularly from upper floors. As an indicative figure, 28 metres should be achieved between the faces of single or two storey buildings backing onto each other". It also states "where privacy is achieved by means such as careful layout, screening, or differing levels, rear gardens may be of varied lengths. However where rear garden length alone is relied on to provide privacy the minimum length should be 14 metres".

- 7.3.2.2 The siting of the proposed building is unchanged from the previous grant of planning permission, and window arrangements remain identical in terms of position on the building. In respect of the window blades, the assessment of the previous application commented as follows in respect of the impact on No. 83 (found in 7.5.2.2 at Appendix A):

At first floor level, the front facing windows would both serve living/dining rooms. The larger window serving this room would have an external projecting frame 0.7m deep which would act to screen most views from the first floor window toward No. 83. Some oblique views would be visible from the smaller window, which is located in a smaller enclosed corner of that room, toward the rear garden and rear facing windows of No. 83, however such views would be oblique and limited to one small window in a corner of a room.

- 7.3.2.3 The assessment of the previous application commented as follows in respect of the impact on No. 89 (found in 7.5.2.3 at Appendix A):

Of the two front-facing windows, the window closest to No. 89 features the same projecting frame referenced above which would restrict views from that first floor room toward No. 89. The second window serving that room would be set further from No. 89. Given the minimum distance of 8.5m between buildings, the orientation of the buildings, and the boundary treatments, it is not considered that the proposal would result in any demonstrable harm to the privacy of the occupants of No. 89.

- 7.3.2.4 During the course of this application, the proposal has been amended such that it is no longer proposed to reduce the depth of the window blades. Their design is revised, removing the sill. Their depth remains unchanged. On that basis, the development as amended is not considered to have a materially different impact on the privacy of neighbours to the approved scheme, and no objection is raised.

7.3.3 Visual Impact

7.3.3.1 In respect of the impacts of new development, Section 5 of Appendix 2 of the DMP LDD sets out that “new development should take into consideration impacts on neighbouring properties, both within and surrounding the development and visual impacts generally”. It states that new development must “not be excessively prominent in relation to adjacent properties”.

7.3.3.2 The siting of the proposed building has not changed. The alterations to the roof form would be screened from the adjacent neighbours by the main outer roof slope which is not proposed to change, and as a result the new roof form would not materially impact the immediate neighbours. It is not considered that this proposal would materially impact the visual impact of the proposed development on the amenities of occupants of any neighbouring property, and the impact would continue to be acceptable.

7.4 Other Matters

7.4.1 This variation does not impact the proposed affordable housing provision (100% affordable). In addition, it has no impact on the proposed landscaping car parking or amenity space provision which all remains as previously approved.

7.4.2 A number of the planning conditions attached to the previous grant of planning permission have been discharged, and the list of conditions below reflects this by referring to approved details where applicable.

7.4.3 The application is exempt from mandatory Biodiversity Net Gain, because the original planning permission to which this S73 application relates was granted before 12 February 2024.

7.5 Conclusion

7.5.1 In summary, the proposed changes to the previous grant of planning permission are not considered to dilute or undermine the original grant of planning permission, and the proposed amendments are not considered to diminish the quality of the proposed development overall. On that basis, the proposed variation is considered acceptable.

8 **Recommendation**

8.1 That planning permission be granted subject to the following conditions:

C1 The development hereby permitted shall be begun before 20 November 2026.

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: Drawing Nos. 1001, 1010, 1050 P00, 1055 P01, , 1070 P00, 1100 P01, 1101 P01, 1200 P02, 1400 and 2023/7170/003 P00.

Reason: For the avoidance of doubt, in the proper interests of planning and in accordance with Policies PSP1, CP1, CP6, CP9, CP10 and CP12

of the Core Strategy (adopted October 2011) and Policies DM2, DM4, DM6, DM8, DM9, DM10, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013) and the Chorleywood Neighbourhood Plan.

Affordable Housing (Compliance)

- C3 The Affordable Housing shall be provided in accordance with the scheme approved in the Local Planning Authority's letter dated 21 November 2025 relating to application 25/1478/DIS.

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

- (A) any rights to acquire pursuant to the Housing Act 1996 or any equivalent statutory provision for the time being in force;
- (B) any right to buy pursuant to the Housing Act 1985 or any equivalent statutory provision for the time being in force;
- (C) the restriction upon the use and disposal of the Affordable Housing shall cease to apply to the whole or any part of an Affordable Dwelling (hereafter referred to as the 'Affected Affordable Dwelling') where that whole or part is transferred or leased, pursuant to an event of default by any mortgagee or chargee of the Affordable Housing Provider or the successors in title to such mortgagee or chargee, or by any receiver or manager (including an administrative receiver) appointed pursuant to the Law of Property Act 1925 (hereafter referred to as the "Chargee"), PROVIDED THAT:
 - (i) the Chargee has first given the Council and the Affordable Housing Provider (as appropriate) 4 (four) months prior notice in writing (the "Chargee's Notice") of its intention to exercise any power of sale or lease in respect of any Affected Affordable Dwelling; and
 - (ii) the Chargee has first given the Council or the Affordable Housing Provider the opportunity to complete a transfer of the Affected Affordable Dwelling in order to ensure that it continues to be used for the purposes of Affordable Housing. The Chargee's Notice shall not be a valid Chargee's Notice unless it is accompanied by a conveyancer's certificate signed and dated by the conveyancer and confirming that, at the date of the notice, the Chargee giving the notice is entitled to execute a transfer of the freehold of the Affected Affordable Dwelling and all land required to gain access to the Affected Affordable Dwelling from the public highway; and
 - (iii) the price for the purchase of the Affected Affordable Dwelling by the Council or the Affordable Housing Provider demanded by the Chargee shall not be permitted to exceed the market value of the Affected Affordable Dwelling at the date of the transfer on the valuation assumption that it is to be retained in perpetuity as Affordable Housing.
 - (iv) If the Council or the Affordable Housing Provider is unable to secure the transfer of the Affected Affordable Dwelling under the terms and in the circumstances described above within the said period of 4 (four) months in accordance with sub-paragraph (i) above then the Chargee shall be entitled to dispose of the Affected Affordable Dwelling on the open market not subject to the condition above that it shall not be used for any other purpose than as Affordable Housing.

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

Construction Management Plan (Compliance)

- C4 The construction of the development hereby approved shall be undertaken only in accordance with the Construction Phase Health and Safety Plan and Demolition and Construction Management Plan approved in the Local Planning Authority's letter dated 21 November 2025 relating to application 25/1478/DIS.

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

Construction Environmental Management Plan (Compliance)

- C5 The development hereby permitted shall be implemented only in accordance with the Construction Environmental Management Plan approved in the Local Planning Authority's decision letter dated 17 November 2025 relating to application 25/1670/DIS..

Reason: In the interests of safeguarding protected species and to meet the requirements of Policies CP1 and CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

Tree Protection (Pre-commencement compliance):

- C6 The protective measures, including fencing, shall be undertaken in full accordance with the approved scheme as shown on Tree Retention and Protection Plan QDTRP-Aug23 before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained as approved until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

The development shall be carried out in full accordance with the approved Tree Constraints, Impact Assessment and Tree Protection Method Statement by B.J.Unwin Forestry Consultancy Ltd (dated 21 August 2023).

Reason: This condition is a pre commencement condition to ensure that no development takes place until appropriate measures are taken to prevent damage being caused to trees during construction and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

Contaminated Land (pre-commencement, submission required)

C7 Prior to the commencement of development approved by this planning permission, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

i) A site investigation, based on the findings of the Phase 1 Desk Study Report prepared by Opus (Report ref. E-E1711.00/LJE/SH), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

ii) The site investigation results and the detailed risk assessment (i) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iii) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (ii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the National Planning Policy Framework and Policy DM9 of the Development Management Policies LDD (2013).

Materials (Before above ground works)

C8 Before any building operations above ground level hereby permitted are commenced, samples and details of the proposed external materials for the building shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

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

Ecological enhancements (Compliance)

C9 Prior to the first occupation of the development hereby permitted, the ecological enhancement measures shall be installed in accordance with the details approved in the Local Planning Authority's letter dated 20 October 2025 relating to discharge of condition application 25/1525/DIS and maintained as such thereafter.

Reason: In the interests of biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

Landscaping (Compliance)

C10 .

All hard landscaping works required by the scheme approved in the Local Planning Authority's letter dated 20 October 2025 relating to discharge of condition application 25/1525/DIS shall be carried out and completed prior to the first occupation of the development hereby permitted.

All soft landscaping works required by the scheme approved in the Local Planning Authority's letter dated 20 October 2025 relating to discharge of condition application 25/1525/DIS 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 (ie 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. 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 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

Parking to be provided (Pre-occupation compliance)

- C11 Prior to the first occupation of the development hereby permitted, the parking and turning spaces as shown on drawing 1055 Rev P01 shall be provided on site and retained thereafter only for the parking of vehicles associated with this development and visitors.

Reason: This is a condition in the interest of highway safety and traffic movement and to meet the requirements of Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

Bicycle storage (Pre-occupation compliance)

- C12 No dwelling shall be occupied until its secure cycle storage as shown on plans 1050 P00 and 1400 has been provided. The storage shall be permanently retained thereafter.

Reason: In order to ensure bicycle parking facilities are provided and to encourage use of sustainable modes of travel in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

Bin store (Pre-occupation compliance)

- C13 The development hereby permitted shall not be first occupied until the refuse storage area as shown on plan no. 1400 has been implemented in full, 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, DM3, DM10 and Appendix 2 of the Development Management Policies document (adopted July 2013).

Boundary treatments (Pre-Occupation compliance)

- C14 Prior to the first occupation of the development hereby approved, the boundary treatments shown on Drawing 1055 P01 shall be installed in accordance with that drawing and permanently maintained as such thereafter.

Reason: To ensure that appropriate boundary treatments are proposed to safeguard the amenities of neighbouring properties and the character of the locality 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).

Contamination (compliance)

- C15 Following completion of measures identified in the approved remediation scheme and prior to the first occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the National Planning Policy Framework and Policy DM9 of the Development Management Policies LDD (2013).

Unidentified contamination (compliance)

- C16 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the

National Planning Policy Framework and Policy DM9 of the Development Management Policies LDD (2013).

Energy Statement (Pre-occupation compliance):

- C17 The development shall not be occupied until the energy saving and renewable energy measures detailed within the Energy Statement submitted as part of the application are incorporated into the approved development.

Reason: To ensure that the development meets the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM4 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

Lighting details (Before installation)

- C18 No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity of the lighting. The lighting shall be installed only in accordance with the approved details and retained as such thereafter.

Reason: In the interests of visual amenity and biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

Noise mitigation (Compliance)

- C19 The development shall be completed in accordance with the construction methodology and mitigation measures as set out within the submitted Noise and Vibration Impact Assessment Report 16721.NVA.02 including window design and ventilation.

Reason: To ensure that occupiers of the development are not subjected to excessive noise and disturbance having regard to Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and DM9 of the Development Management Policies LDD (adopted July 2013)

Bird Nesting Season (Compliance):

- C20 No removal of trees, hedges or scrub shall take place between 1 March and 31 August inclusive unless searched immediately beforehand and certified free of nesting birds by a qualified ecologist.

Reason: To protect the amenities of wildlife during the primary nesting season and to meet the requirements of Policies CP1 and CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- 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 which includes a fee.

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 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 (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) (<https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy>).

are 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>.

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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 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 applicant and/or their agent and the Local Planning Authority engaged in pre-application discussions which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

14 Affordable Housing – Definitions:

The following terms (and those related to them) referred to at Condition C3 shall be defined as set out below:

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

Affordable Rented Dwellings means a dwelling provided through an Affordable Housing Provider let to households who are in Housing Need subject to rent controls that require a rent that does not exceed the South West Herts Local Housing Allowance (including any Reasonable Service Charge).

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

Choice Based Lettings Scheme means the system which is used by TRDC which enables properties to be let to applicants.

Housing Allocations Policy is the Council's policy which determines the Council's priorities and procedures when allocating accommodation in accordance with the requirements of Section 167 of the Housing Act 1996.

Dwelling means a residential unit comprised in the development.

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

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

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

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

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

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

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

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