

PLANNING COMMITTEE - 14 SEPTEMBER 2023

PART I - DELEGATED

9. **23/1043/FUL - Construction of part single, part two storey rear extension (roof accommodation) and alterations and additions to fenestration and rooflights to existing care home to create additional bedrooms and office space at Arden House, 31 Upper Highway, Abbots Langley, Hertfordshire, WD4 8PP**

Parish: Abbots Langley Parish Council

Ward: Gade Valley

Expiry of Statutory Period: 09.09.2023

Case Officer: Aaron Roberts

Extension agreed to: 22nd September 2023

Recommendation: That PLANNING PERMISSION BE GRANTED subject to conditions.

Reason for consideration by the Committee:

- Called in by Abbots Langley Parish Council unless Officers are minded to refuse. Concerns include overdevelopment and being overbearing to the houses on Lauderdale Road.
- Called in by 3 Members of the Planning Committee due to concerns regarding overlooking.

To view all documents forming part of this application please go to the following website:

<https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RWN3DHQFG5700>

1 Relevant Planning and Enforcement History

- 1.1 8/795/76 - Temporary bedroom
- 1.2 8/735/78 - Replacement fire escape
- 1.3 8/197/92 - Single storey rear extension. – Permitted
- 1.4 07/1127/FUL – Single storey rear extension to residents lounge at rear with rooflight - Permitted, not implemented.

2. Description of Application Site

- 2.1 The application site comprises a heavily extended detached building located on the western side of Upper Highway in Abbots Langley. It is currently used as a nursing home.
- 2.2 The building has a variety of extensions including a single-storey rear element linked to the main building. The building has a 'U' shaped form.
- 2.3 There is a hard standing parking area in front of the building and two vehicular accesses onto Upper Highway.
- 2.4 The adjacent building to the south-east, No. 29 Upper Highway is a detached residential dwelling. This dwelling is a Grade II Listed Building. This property is set further forward towards the highway compared to the application building. The rear building line of this adjacent dwelling is approximately in line with the front elevation of the application building. The dwelling is offset from the shared boundary by 8.5m. There is a 1.8m high fence on this shared boundary.

- 2.5 The adjacent dwelling to the north, number 31A is a semi-detached residential dwelling. This dwelling is offset from the shared boundary by 3m. There is an approximately 1.8m high fence on this shared boundary.
- 2.6 To the rear (west) of the site there are a number of detached dwellings along Lauderdale Road, which are located on a lower land level than the application site.
- 2.7 To the south-east of the application site, there are two Grade II Listed Buildings, No. 29 Upper Highway and Queen Anne Cottage. There is another Listed building to the south of these buildings, Oak Beam (No.25 Upper highway).

3. Description of Proposed Development

- 3.1 This application seeks planning permission for the construction of part single, part two storey rear extension (roof accommodation) and alterations and additions to fenestration and rooflights to existing care home to create additional bedrooms and office space.
- 3.2 During the course of the application, amended plans were received. A summary of the amendments can be seen below:
- Reduction in overall height and removal of rear dormer structure/ true first floor;
 - Removal of first floor rear windows;
 - Addition of rooflights (facing eastwards).
- 3.3 The amended single storey element would have a maximum depth of approximately 7.5m (along the northern flank elevation) and a depth of approximately 3.2m from the current rear-most wall. The single storey element would have a maximum width of approximately 19.2m. Towards the northern flank, the extension would have a flat roof with a maximum height of approximately 3.8m.
- 3.4 The non-flat roof section of the part single, part two-storey extension would have a crown roof which would adjoin to and increase the ridge of the existing built form. It would have a maximum height of approximately 6.2m and an eaves height of 2.8m (when measured from the lowest adjoining land level). Within the eastern roofslope, facing towards the site, 7 rooflights are proposed.
- 3.5 The ground floor extension would provide 5 additional bedrooms and a bathroom. Within the rear and northern flank elevation there would be glazing at ground floor level. The first floor level would serve office space.
- 3.6 Within the southern flank elevation (serving bedroom 10) a window would be infilled, and a door would be installed serving a fire escape.

4. Consultation

4.1 Statutory Consultation

4.1.1 National Grid: No comments received.

4.1.2 Abbots Langley Parish Council: [Objections, Called in to Planning Committee unless Officers are minded to refuse]

Members feel this proposal represents overdevelopment of the site and is out of character with the local area. It's size and scale would be overbearing to the houses on Lauderdale Road. Members are disappointed the trees have been removed from the rear boundary without full consultation which will result in a loss of habitat, and feel this should be brought to the tree officer's attention immediately. Members strongly object to this proposal and if

officers are minded to approve this application, members ask that this be referred to Three Rivers Planning Committee for consideration.

Officer note: The Parish Council have been notified of the amended plans and provided an additional set of comments on 01.09.2023, which can be seen below:

COMMENT POST AMENDMENT: Members acknowledge the scheme has been reduced, however, still have concerns regarding the use of the roof space and how this could be developed in future years. Members feel the proposed design is still overbearing on neighbouring properties exacerbated by the slope of the site.

4.1.3 Landscape Officer: Awaiting comments, the Committee will be updated verbally.

4.2 **Public/Neighbour Consultation**

4.2.1 Neighbours were originally consulted on 27.07.2023

4.2.2 Number consulted on 27.07.2023: 10

4.2.3 Responses received from 27.07.2023 consultation: 3

4.2.4 Summary of Responses from 27.07.2023 consultation (for the originally proposed scheme):

- Strongly object to the proposal
- The two storey rear extension with windows on each floor would overlook our house, garden and patio (18 and 20 Lauderdale road)
- The application site is located on higher land making it more imposing
- The upper floor will have lights on as this is a 24/7 business
- The house has already been extended and the scheme would be out of keeping with the house and surrounding roads
- The height of the extension would reduce light into the house of 18 and 20 Lauderdale Road and would be an eyesore
- Staff park on the pavement blocking at times, an increase in staff would be adding to this
- The application form sets out that no trees would be removed, however, trees have been/will be removed
- The large walnut tree should be a TPO and provides amenity value
- The application site is bounded by residential properties and is in a residential area. The proposal results in overdevelopment of the area
- The removal of trees and hedging along the rear boundary has impacted upon privacy
- The staff take their breaks towards rear of the site and following removal of trees and the built form being pushed back, noise and other pollutants will be closer to rear boundary
- There is not adequate parking area to the front and the increase in bedrooms and staff will impact Upper Highway

4.2.5 Following the submission of amended plans, neighbours were reconsulted for 14 days on 25.08.2023.

4.2.6 Number consulted on 25.08.2023: 10

4.2.7 Responses received from 27.07.2023 consultation: Consultation period has not ended at time of writing. Expires on 09.09.2023.

4.2.8 Summary of responses from 25.08.2023: Consultation period has not finished at time of writing.

4.2.9 Site Notice Posted: Further Consultations required; date of expiry 18.08.2023

4.2.10 No Press Notice required.

5. Reason for Delay

5.1 Not applicable.

6. Relevant Planning Policy, Guidance and Legislation

6.1 Legislation

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

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.

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

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

6.2 Planning Policy and Guidance

National Planning Policy Framework and National Planning Practice Guidance

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

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 CP1, CP2, CP3, CP6, CP8, CP9, CP10, CP12 and CP13.

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.

Other

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

7. Planning Analysis

7.1 Principal of Development

7.1.1 Policy CP3 of the Core Strategy sets out that the Council will promote high quality residential development that respects that character of the District and caters for a range of housing needs. The provision of housing for the elderly and supported and specialist accommodation is encouraged in suitable and sustainable locations.

7.1.2 The Local Housing Needs Assessment (LNHA) considers the need for older persons accommodation within a C2 Use Class and estimates a notable need for 683 care beds over the period 2020-2036. The proposal would contribute to this indicative need being met.

7.1.3 Arden House already benefits from Class C2 (residential institution) use. The scheme seeks to add 5 bedrooms rather than self-contained dwellings and on this basis it falls within the C2 Use Class as per its lawful use and would not trigger a requirement for affordable housing when applied to Policy CP4 and SPG. The addition of new beds also helps towards housing delivery. The Council's conversion ratio of 1.9:1 (1.9 bedrooms in C2 use 'frees up' 1 open market dwelling) as set out within the Housing Land Supply Update (December 2019), means that the development would provide the equivalent of 2.6 market dwellings towards the Council's housing need. As such there is no in principle policy objection to the extension of the care home to provide additional bedrooms, however this is subject to consideration against other material considerations as discussed below.

7.2 Design and Impact on Character and Appearance of the host dwelling, wider streetscene and Heritage Assets

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. 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'.

7.2.2 Policy CP3 of the Core Strategy states that the Council will promote high quality residential development that respects the character of the District and caters for a range of housing needs. Development will make the most efficient use of land, without compromising the quality of the environment and existing residential areas.

7.2.3 Policy DM1 and Appendix 2 of the Development Management Policies Local Development Document (adopted July 2013) set out that development should not lead to a gradual deterioration in the quality of the built environment, have a significant impact on the visual amenities of the area and that extensions should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials.

7.2.4 The Design Criteria at Appendix 2 state that two storey rear extensions will be individually assessed on their own merits in terms of size and volume. Appendix 2 of the DMP LDD outlines that increases to ridge height will be assessed on their own individual merits. However, these are unlikely to be supported where roof forms are uniform in style and height. With regards to crown roofs, Appendix 2 states "Crown roofs can exacerbate the

depth of properties and often result in an inappropriate bulk and massing. As such, they are generally discouraged and more traditional pitched roofs are generally favoured”.

- 7.2.5 The building has been extensively extended over the years, resulting in a piecemeal appearance. Given its location close to the rear boundary, the rear extension would not be readily visible from the streetscene despite its part two-storey nature. The single storey element would have a flat roof and the two-storey element would have a crown roof with first floor level accommodation provided within the roof space. Whilst these roof forms do not necessarily integrate particular well together, given that the site is not located within a conservation area, that the extensions are located to the rear and the existing piecemeal nature of the building, it is not considered that the part single, part two storey rear extension would detrimentally impact upon the character of the building or wider character of the area.
- 7.2.6 With regards to the increase in ridge height, the ridge serving the two-storey element would be approximately 1.3m higher than the existing ridge of the extended section of the building. The ridge height of the two-storey rear extension would be significantly lower than the ridge of the main two-storey section of the building and would appear subordinate. With regards to the crown roof given its location to the rear and limited depth and height, it is not considered that the roof form would appear as overly bulky or out of character with the area..
- 7.2.7 Given their relatively minimal scale and that they would not be readily visible from the streetscene, it is not considered that the proposed rooflights would detrimentally impact upon the character of the dwelling or wider streetscene.
- 7.2.8 To the south-east of the application site, there are two Grade II Listed Buildings, No. 29 Upper Highway and Queen Anne Cottage. There is another Listed building to the south of these buildings, Oak Beam (No.25 Upper highway).
- 7.2.9 Policy DM3 sets out that the Council will preserve the District’s Listed Buildings and will only support applications where they sustain, conserve and where appropriate enhance the significance, character and setting of the asset itself and the surrounding historic environment. Given the separation distances from the Listed Buildings and the scale of the extension, it is not considered that the proposed rear extension would detrimentally impact upon the setting of the nearby Listed Buildings.
- 7.2.10 In summary, following the submission of amended plans, the proposed development would therefore not result in unduly prominent additions and would be acceptable with regard to its impact on the host dwelling, character and setting of adjacent Listed Buildings . The amended development would comply with Policies CP1 and CP12 of the Core Strategy and Policies DM1 and DM3 and Appendix 2 of the DMP LDD.

7.3 Impact on neighbours

- 7.3.1 Policy CP12 of the Core Strategy states that development should ‘protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space’. Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in loss of light to the windows of neighbouring properties nor allow overlooking and should not be excessively prominent in relation to adjacent properties.
- 7.3.2 The single storey element of the extension would be set approximately 2.2m from the northern boundary, with the two-storey element set approximately 5.5m from the northern boundary. Given the location of the extensions to the rear of the site and separation distance from the neighbour to the north, No.31A Upper Highway and the neighbour to the south-east, No.29 Upper Highway, it is not considered that the proposed part single part two-storey rear extension would detrimentally impact upon the neighbouring amenity of the occupiers of either of these neighbouring properties in terms of being an overbearing form of development or loss of light.

- 7.3.3 Appendix 2 of the DMP LDD outlines that distances between buildings should be sufficient so as to prevent overlooking, particularly from upper floors. An indicative figure of 28m should be achieved between the faces of single or two storey buildings backing onto each other with this distance increased with additional floors. Where garden length alone is relied upon to provide privacy a minimum length of 14m should be achieved.
- 7.3.4 To the rear (west) of the site there are a number of detached dwellings along Lauderdale Road, which are located on a lower land level than the application site. The gardens of No.24, No.20 and No.18 Lauderdale Road would directly face the proposed extension. The distance between the rear elevation of No's 20 and 18 Lauderdale Road and the shared boundary with the application site is approximately 31m. The distance between the rear elevation of No.24 Lauderdale Road and the shared boundary with the application site is approximately 29m. Given the separation distances from the neighbouring dwellings to the west, along Lauderdale Road, it is not considered that the proposed part single part two-storey rear extension would detrimentally impact upon the neighbouring amenity of the occupiers of these neighbouring properties in terms of being an overbearing form of development or loss of light. In terms of overlooking, ground floor glazing (serving the additional bedrooms) is proposed, however, first floor glazing is not proposed. The boundary treatment of the western boundary of the application site comprises of approximately 1.8m high close boarded fencing. There are also sporadic trees and bushes along this boundary and there are also a number of outbuildings within the rear gardens of the properties along Lauderdale Road, which would act, in part, to the ground floor glazing. Additionally, a condition would be recommended to be added to any permission requiring the submission of a soft landscaping scheme including the planting of native hedging along the western boundary of the application site to add greater density to the existing boundary. Given the location of the glazing at ground floor level, the boundary treatment and recommended condition requiring a soft landscaping scheme with details of hedging along the western boundary, it is not considered that the rear extension would give rise to a perceived sense of or actual overlooking.
- 7.3.5 Given the positioning of the proposed rooflights facing eastwards towards the application site and their orientation facing the sky, it is not considered that they would give rise to any perceived sense of or actual overlooking.
- 7.3.6 Within the southern flank elevation (serving bedroom 10) a window would be infilled and a door would be installed serving a fire escape. Given that this door would be located at ground floor level and separation distances from the boundary, it is not considered that it would lead to overlooking.
- 7.3.7 As such it is not considered that the proposed development would result in such unacceptable harm to neighbouring amenity to justify the refusal of planning permission.

7.4 Amenity Space

- 7.4.1 Appendix 2 of the DMP LDD outlines that residential care homes and warden controlled sheltered housing should provide at least 15sqm of amenity space (allocated or communal) per bed space.
- 7.4.2 Following the works, the building would contain an additional 5 bedrooms (total of 23) and as such would require 345sqm of amenity space. Following the works, the site would retain in excess of 500sqm of amenity space exceeding standards. As such, the scheme is regarded acceptable in this regard.

7.5 Parking

- 7.5.1 Appendix 5 of the DMP LDD outlines that Class C2 elderly persons residential and nursing homes are 0.25 spaces per residential bed space plus 1 space per 2 non-residential staff members.

- 7.5.2 Following the works, the building would contain 23 residential bed spaces, which would require 6 spaces (not including the staff requirements). The case officer has requested that the planning agent provide further details regarding staff numbers and rotas etc. During email correspondence, the planning agent stated:

“Arden House currently employees 25 staff comprising a mixture of WTE (Whole Time Equivalent) and Part time workers.

The total staff who have their own transport throughout the 24/7 period across the whole week is 31% of which a maximum of 4 staff will have their car at work, 50% of these are part time so will only require parking from 8am to 2pm.

Increase in rooms will require an additional 1.5 WTE staff across the whole week and our policy is try and recruit locally as this has worked well for us in the past. We already have a 2 bank staff (not counted in the number above) who are interested in both full time and part time roles as and when we require them”.

- 7.5.3 If the nursing home currently employees 25 members of staff with an additional 1.5 required (following the additional 5 bedrooms), there would be a total of 26.5 members of staff, requiring a total of 14 spaces (for staff). However, it must be noted that given the nature of the facility the number of staff on site at any one time can vary depending on service needs. When taking into account staff and residents, the total number of parking spaces to meet the parking standards is 20.

- 7.5.4 The amended block plan shows that up to 8 cars could park within the front drive (following the removal of hedging and the trees within the front drive). Whilst there would still be a shortfall in parking, given the pre-existing shortfall and that the number of spaces would increase from 4 to 8, it is not considered that the additional 5 bedrooms would result in severe harm to highway safety or the free flow of the traffic so as to justify the refusal of planning permission in this respect. Additionally, the additional bedrooms would be occupied by those with care needs, who would likely not have their own car. Therefore any parking pressures would likely be as a result of the increase in staff numbers and visitors. As stated by the planning agent, the increase in 5 bedrooms would require only 1.5 additional staff members (equivalent to one space). It is recommended that the submission of a Travel Plan is submitted with the objectives of reducing journeys to and from the site by private car.

7.6 Trees and Landscaping

- 7.6.1 Policy DM6 of the Development Management Policies LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards
- 7.6.2 The site is not located within a conservation area and no trees within or adjoining the site benefit from a Tree Preservation Order. During the site visit it was apparent that some trees had been removed and others were imminently about to be removed. The submitted plans also show the removal of trees, including a mature tree to the rear of the building (which the applicant has suggested was diseased). Whilst the trees to be removed are not protected, given their scale and amenity value it is considered that a replacement tree within the site is an appropriate course of action. Additionally, to the front two trees and hedging have been removed to facilitate additional parking areas.
- 7.6.3 Additionally, as discussed in the neighbour amenity section, planting of native hedging along the western boundary of the application site is further recommended. As such, it is recommended that a pre-commencement condition be added to any permission requiring the submission of a soft landscaping plan requiring further details of the replacement tree and hedging.

7.7 Biodiversity

7.7.1 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.

7.7.2 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. 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. The addition of new hedging would ensure biodiversity net gain.

8. **Recommendation**

8.1 That subject to no new material planning considerations being raised, that PLANNING PERMISSION BE GRANTED subject to the following conditions:

C1 The development hereby permitted shall be carried out in accordance with the following approved plans: The development hereby permitted shall be carried out in accordance with the following approved plans: 23/2713/01, 23/2713/02 REV A, 23/2713/03 REV B, 23/2713/04 REV B, 23/2713/100 REV A, 23/2713/101 REV A.

Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies CP1, CP2, CP3, CP6, CP8, CP9, CP10, CP12 and CP13 of the Core Strategy (adopted October 2011) and Policies DM1, DM3, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

C2 Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

Reason: To prevent the extensions 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).

C3 Prior to the first occupation of the extensions hereby permitted, a scheme of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include details 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. Additionally, details of replacement trees and hedging including size, species, planting heights, densities and positions of any proposed soft landscaping shall be provided.

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 (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 and in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C4 Prior to the first occupation of the additional bedrooms hereby approved, a 'Green Travel Plan' with the objectives of reducing journeys to and from the site by private car shall be submitted to and approved by the Local Planning Authority. This approved Green Travel Plan shall be implemented on first occupation of the extension. An updated Green Travel Plan shall be submitted to the Local Planning Authority for written approval on the anniversary of the 1st year of occupation and subsequently on the 3rd anniversary of occupation. The updated Green Travel Plan shall be implemented following its written approval.

Reason: To promote sustainable modes of transport and to meet the requirements of Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

- C5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the first floor flank elevations or roof slopes of the extensions hereby approved.

Reason: To safeguard the residential amenities of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

8.2 **Informatives:**

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

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

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 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. 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:

Making a Non-Material Amendment

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 applicant is hereby advised to remove all site notices on or near the site that were displayed pursuant to the application.