

PLANNING COMMITTEE – 18 April 2024

23/1916/FUL – Widening of entrance to Leavesden Country Park including alterations to existing wall and new brick piers and railings, installation of vehicular barrier; installation of disabled parking bays, pedestrian island, replacement flagpole; and associated landscaping works at OPEN SPACE ADJOINING COLLEGE ROAD AND ENTRANCE TO LEAVESDEN COUNTRY PARK, ABBOTS LANGLEY, HERTFORDSHIRE

Parish: Abbots Langley Parish Council
Expiry of Statutory Period: 12.01.2024
(Extension of time agreed until 25.04.2024)

Ward: Leavesden
Case Officer: Tom Norris

Recommendation: That Planning Permission be granted.

Reason for consideration by the Committee: The applicant is Three Rivers District Council

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=S41USLQFHP300>

1 Relevant Planning History

1.1 No relevant planning history.

2 Description of Application Site

2.1 The application site consists of the vehicular entrance to Leavesden Country Park, off College Road, Abbots Langley. The site measures 0.5ha in total area and includes the single-track vehicle access junction and road and part of the grassed area of country park, associated footpath network and car park.

2.2 The access to the park contains a solid brick wall to the right-hand side of the access and a brick wall with iron railings to the left-hand side. The existing access is wide enough to comfortably accommodate a single vehicle entering or exiting the park.

2.3 The application site is within the Metropolitan Green Belt.

3 Description of Proposed Development

3.1 Planning permission is sought for the widening of the entrance to Leavesden Country Park including alterations to existing wall and new brick piers and railings, installation of vehicular barrier; installation of disabled parking bays, pedestrian island, replacement flagpole; and associated landscaping works.

3.2 The existing 4.9m wide, single-lane entrance from College Road is proposed to be widened to a 15.4m wide, two-lane entrance with a central island. The central island would be made up of raised kerbs and would measure 2.5m in width and 4.5m in depth. The island would contain two bollards of 1.1m in height.

3.3 The area of tarmac would be widened to 15.4m at the entrance and would gradually reduce in width to 5.3m where it merges with the existing track, some 25 metres into the site. New brick piers would be constructed either side of the widened entrance. These would each have a width and depth of 0.8m and a height of 3.2m. The piers would contain bespoke pier caps to match those of the historic wall opposite. A further 6.3m long section of wall to the right-hand side of the entrance would be removed and replaced with railings to match those on the left-hand side of the entrance. A new brick pier, of the same scale and design as described above, would be built at the end of this length of new railing.

- 3.4 A new vehicle height barrier would be installed following the removal of the existing yellow barrier approximately 20m into the site from College Road. The barrier would have a maximum width of 6.7m and an overall height of 2.6m. The barrier would be black in colour with gold detailing and would contain a sign with "Welcome to Leavesden Country Park". The barrier would restrict vehicles over the height of 2.1m entering the site.
- 3.5 The existing flagpole, set behind the wall to the right-hand side of the entrance, would be re-sited to the left-hand side of the access drive, approximately 10m back from the wall.
- 3.6 The existing extent of car park, close to the College Road entrance, would remain as existing however three delineated disabled bays would be marked within the car park.
- 3.7 Two new lengths of "birds mouth" fencing, 0.4m in height, would be installed to a length of 20m either side of the altered access track.

4 Consultation

4.1 Statutory Consultation

4.1.1 Hertfordshire County Council as Highway Authority: [No objection

4.1.1.1 [First response, November 2023]: Further information required.

Recommendation

Requesting further information / amended details.

Comments

The proposals include alterations to the existing access from College Road, which is designated as classified C local distributor road, subject to a speed limit of 30mph and is highway maintainable at public expense. Following consideration and review of the submitted details, HCC as Highway Authority is recommending amendments to the original application and further information including:

Swept path analysis for the largest anticipated vehicle that will use the new access arrangements.

A Stage One Road Safety Audit & Designers Response. The existing access is proposed to be widened and in between a signalised pedestrian crossing and a bus stop. Therefore, the need for a safety audit would be necessary to ascertain any safety provisions that may need to be considered at this stage.

HCC as Highway Authority is recommending these amendments and further information is provided prior to a formal recommendation being made.

4.1.1.2 [Second response, March 2024]: No objection.

Proposal

Widening of entrance to Leavesden Country Park, boundary treatments including installation of vehicular barrier, gate, kerbs, railings, brick walls, piers. Installation of disabled parking bays, pedestrian island, replacement of flagpole with associated landscaping works to increase visibility.

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 subject to the following condition:

1. Construction Management Plan No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan shall include details of:

Construction vehicle numbers, type, routing;
Access arrangements to the site;
Traffic management requirements
Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
Siting and details of wheel washing facilities;
Cleaning of site entrances, site tracks and the adjacent public highway;
Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
Provision of sufficient on-site parking prior to commencement of construction activities;
Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

Highway Informatives

HCC recommends inclusion of the following highway informatives to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

Construction standards for works within the highway (s278 works):

The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN) Obstruction of highway: 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.

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 County Council

website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx>

AN) 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.

Comments / Analysis

The proposals include alterations to the existing access arrangements from College Road, which is designated as classified C local distributor road, subject to a speed limit of 30mph and is highway maintainable at public expense.

Following a request from HCC as Highway Authority as part of its response dated 01/12/2023, a Stage One Road Safety Audit (RSA) and Designers Response and updated swept path analysis / tracking plan has been submitted as part of the application.

Access

The proposals include amending the existing access into Leavesden Country Park farm site. The proposals are shown on submitted drawing number BL191202 and includes a widening of the existing single width bellmouth carriageway access to facilitate two way traffic with associated works including a central pedestrian refuge island (and tactile / pedestrian dropped kerbs).

The updated swept path analysis (drawing number 2023-4926-AT-106) now includes the central pedestrian refuge island and illustrates a 8m long box van using the proposed access arrangements. The details are considered to be sufficient in this respect.

Following consideration of the RSA results and designers response, there would not be any objections to the proposed works at the planning application stage from a safety perspective, subject to a full assessment as part of the 278 technical review and incorporation (and ultimately implementation) of all of the proposed amendments in the designer's response.

The applicant would ultimately need to enter into a Section 278 Agreement with HCC as Highway Authority in relation to the approval of the design and implementation of the necessary works that would be needed on highway land.

The applicant would need to submit the full Stage One Road Safety Audit and Designers Response as part of the 278 application. Please see the above informative for more information in relation to applying for the 278.

Conclusion

Following consideration and assessment of the submitted details, HCC as Highway Authority would not wish to object to the proposals from a highways perspective. The applicant would also ultimately need to enter into a Section 278 Agreement with HCC to cover the technical approval of the design, construction and implementation of the necessary highway and access works. Therefore HCC as HA would not wish to object to the granting of planning permission, subject to the inclusion of the above condition, informatives and comments in relation to applying for a section 278 agreement.

4.1.2 Abbots Langley Parish Council: [No objection]

Members refer back to the public consultation held on this proposal and have no further comments.

4.1.3 Landscape Officer: [No objection]

Recommend: Approval.

The submitted tree report indicates that two trees (T3 Field Maple and T20 Horse Chestnut) and part of a group of shrubs (G07) may have to be removed to facilitate the development. Tree T3 is an early mature specimen, which whilst in good health, has relatively poor form. Its removal, if required could be mitigated by replacement planting in the vicinity. T20 is a fully mature tree which has previously been pollarded. A recent inspection by TRDC tree officers revealed that the tree was badly affected by the decay fungus Ganoderma, and the decision was made to remove the tree for safety reasons. A replacement tree will be planted in the near future.

The group of shrubs comprise of semi-mature Laurel and Hawthorn, their removal will not diminish the amenity value of the greenery in the vicinity, and the removal of tree and vegetation close to the boundary wall of the park will be required to prevent future damage to the wall, regardless of the outcome of the planning application. A condition requiring replacement tree planting should be applied.

4.1.4 National Grid: [No response received]

4.2 Public/Neighbour Consultation

4.2.1 Neighbours consulted: 6.

4.2.2 Responses received: 1 neutral comment received.

4.2.3 Summary of response:

- Plans suggest no vehicle height barrier restricting access to the first car park, have concerns this should be provided.

Officer Response: The plans show that the entrance to the first car park area is amended such that any vehicle entering the first car park must pass under the height barrier.

4.2.4 Site notice posted 01.12.2023, expired 22.12.2023.

4.2.5 Press notice not required.

5 Reason for Delay

5.1 Resolution to outstanding HCC Highway Authority objection.

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.

6.2 Policy & Guidance

National Planning Policy Framework and National Planning Practice Guidance

- 6.2.1 In December 2023 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 Policies CP1, CP9, CP10, CP11 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 DM2, DM6, DM7, DM8, DM9, DM11, DM13 and Appendix 5.

6.3 Other

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

7 Planning Analysis

7.1 Impact upon the Metropolitan Green Belt

- 7.1.1 The National Planning Policy Framework (NPPF) sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belt are their openness and their permanence. One of the purposes of including land within Green Belt is to safeguard the countryside from encroachment.
- 7.1.2 The NPPF identifies the five purposes of including land in Green Belts as:
- to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns from merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and

- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

7.1.3 Paragraph 152 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

7.1.4 Paragraph 153 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

7.1.5 Paragraph 154 of the NPPF states that Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

7.1.6 Policy CP11 of the Core Strategy (adopted October 2011) sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it. Policy DM2 of the Development Management Policies sets out that the construction of new buildings in the Green Belt is inappropriate with certain exceptions, some of which are set out in the policy. There are no specific exceptions within the policy that would relate to the development subject of this application, and therefore regard is had to the NPPF.

7.1.7 It is considered that the proposed development would meet criteria (b) of Paragraph 154 of the NPPF in that it would involve the provision of appropriate facilities in connection with the existing use of Leavesden Country Park, which includes facilities for outdoor sport and recreation. This would be subject to the facilities preserving the openness of the Green Belt and not conflicting with the purposes of including land within it.

7.1.8 The proposed development would involve widening of the existing vehicle entrance. This would principally involve the removal of a 10m length of brick wall which is 2.6m in height. It is considered that this feature of the development would not adversely affect the openness of the Green Belt but would improve it. The provision of a wall with railings to the south east side of the new entrance would not harm openness, and would open up more of the frontage to views in and out. The proposed piers would be of the same overall height (2.6m)

compared with the existing however would contain pier caps to match those of the historic wall opposite. While these would increase the height and prominence of the piers, when considered in conjunction with the removal of some of the wall, it is not considered that the openness of the Green Belt would be adversely affected.

- 7.1.9 The proposed development would also involve the laying of additional hardstanding to the existing entrance. The hardstanding would measure an additional 80sqm. While this would have a more urbanising impact compared with the existing situation, it is not considered that the proposed hardstanding is excessive or more than reasonably necessary to facilitate the proposed works. In the context of the proposed development, it is not considered that this feature of the proposed development would impact the openness of the Green Belt.
- 7.1.10 The proposed vehicle height barrier would replace an existing barrier of similar character. The barrier would be relatively slim profile and open in character, allowing views through it. It is not considered that this feature of the proposed development would impact the openness of the Green Belt.
- 7.1.11 The proposed re-siting of the existing flagpole would not impact the openness of the Green Belt. The proposed “birds mouth” fencing, given its low height, siting and open character would not impact the openness of the Green Belt. The proposed new disabled bays to the existing car park would not impact the openness of the Green Belt.
- 7.1.12 Therefore, in summary the proposed development is considered to be appropriate development in the Green Belt which would not harm the openness or visual amenities of the Green Belt and would comply with Core Strategy Policy CP11, Development Management Policy DM2, and the Green Belt chapter of the NPPF.

7.2 Impact on Character and Appearance

- 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 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.
- 7.2.2 The proposed development would involve widening of the existing vehicle entrance. As set out in the above sections of this report, this principally involves the removal of an existing solid wall, and other alterations including new railings and pier caps to introduce a more open boundary treatment, and the laying of additional hardstanding to accommodate a widened access. It is not considered that the proposed development would result in harm to the character and appearance of the area. While the development would result in a more grand and formal entrance, it would be reflective of the local area and would incorporate enhancement such as new railings and pier caps to match those historic ones opposite. It is noted that a similar new length of wall and railing has been implemented opposite.
- 7.2.3 It is not considered that the proposed associated features of the development, including the re-sited flagpole, low “birds mouth” fencing and alterations to the car park would result in any harm to the area.
- 7.2.4 In summary, the proposed development is acceptable in accordance with Policies CP1 and CP12 of the Core Strategy.

7.3 Impact on amenity of neighbours

- 7.3.1 Policy CP12 of the Core Strategy states that development should ‘protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space’.

7.3.2 The proposed development would be in a location that would not result in any harm to the residential amenities of any surrounding neighbouring properties. The proposed development would also not result in any noise and disturbance of the closest neighbouring properties.

7.3.3 In summary, the proposed development would not result in any impact on the residential amenity of any neighbouring dwelling and the development would therefore be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy.

7.4 Highways & Parking

7.4.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means of access and to make adequate provision for all users, including car parking. Policy DM13 and Appendix 5 of the Development Management Policies document set out parking standards.

7.4.2 Hertfordshire County Council as Highway Authority were consulted on the proposed development and, during the application, requested the submission of a Stage One Road Safety Audit and a Swept Path Analysis, prior to making full comment on the proposal. This information was submitted during the application. This information was submitted by the applicant during the application. HCC confirmed that they raised no objection to the proposed development on highway grounds subject to informatives and the inclusion of a condition for a Construction Management Plan. The applicant submitted a Construction Management Plan following the comments of HCC. HCC confirmed that the CMP was acceptable and therefore the suggested condition can be amended for the development to be carried out in accordance with the submitted details.

7.4.3 HCC note that the applicant would separately need to enter into a Section 278 Agreement with HCC to cover the technical approval of the design, construction and implementation of the necessary highway and access works.

7.4.4 It is noted that the proposed layout includes the provision of a vehicle height restriction barrier set further into the site compared to the existing. To allow for larger vehicles which cannot pass under the barrier to wait safely for the barrier to be moved, a 'No parking' area is to be marked out in what is currently one of the entrances to the first car park. This would enable such vehicles to wait without obstructing College Road or the access road, until they are able to pass through the barrier to service the properties further within the site. The entrance to the first car park is relocated, to ensure that all vehicles using the car park are still required to pass under the barrier, and new kerbing will be constructed to close the existing entrance.

7.4.5 The extent of the existing car park would not change because of the proposed development. Three disabled bays would be marked within the existing car park. It is not considered that the proposed development would have a detrimental impact in terms of parking provision.

7.4.6 On the basis of the above, the proposal would comply with Policy CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies document (adopted July 2013).

7.5 Trees & Landscape

7.5.1 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.

7.5.2 The Landscape Officer was consulted on the application and recommended approval in respect of the impact upon trees. The Landscape Officer states that the submitted tree

report indicates that two trees (T3 Field Maple and T20 Horse Chestnut) and part of a group of shrubs (G07) may have to be removed to facilitate the development.

- 7.5.3 The Landscape Officer notes that T3 is an early mature specimen which, whilst in good health, has relatively poor form and its removal (if required) could be mitigated by replacement planting in the vicinity. A suitably worded condition will be included on any permission granted so that, should this tree require removal, a replacement tree is planted within the application site.
- 7.5.4 The Landscape Officer notes that T20 is a fully mature tree which has previously been pollarded and that a recent inspection by TRDC revealed that the tree is badly diseased, and the decision was made to remove the tree for safety reasons irrespective of this planning application.
- 7.5.5 The Landscape Officer further notes that the removal of the group of shrubs (G07) would not diminish the amenity value of the vicinity and that the removal of vegetation close to the boundary wall is required to prevent future damage to the wall.
- 7.5.6 The proposed development is otherwise considered to be acceptable in this regard. Conditions will be included on any permission granted for the development to be carried out in accordance with the submitted tree protection details and the tree method statement.

7.6 Biodiversity

- 7.6.1 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.
- 7.6.2 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 because of the application.

8 **Recommendation**

- 8.1 That **PLANNING PERMISSION 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: BL191202 (LOCATION PLAN), BL191202 (125X178MM DROPPED KERB), BL191202 (50X150MM PIN KERB), BL191202 (BITUMINOUS ROAD CONSTRUCTION), BL191202 (ENTRANCE GATE DETAIL), BL191202 (ENTRANCE GRASS LANDSCAPED SERVICE MARGIN), BL191202 (ENTRANCE OVERHEAD BARRIER DETAIL), BL191202 (ENTRANCE ROADWAY & KERB DETAIL), BL191202 (ENTRANCE SECTION THROUGH TACTILE PAVED CROSSING), BL191202 (ENTRANCE SECTION THROUGH TACTILE PAVED CROSSING 2), BL191202 (ENTRANCE TACTILE PAVED REFUGE DETAIL), BL191202 (ENTRANCE WAY A - PROPOSED OVERLAY), BL191202 (PROPOSED

BOLLARD DESIGN), BL191202 (PROPOSED SITE PLAN - 1:1250 OS MAP), BL191202 (PROPOSED SITE PLAN - 1:1250 VISUAL OVERLAY), BL191202 (PROPOSED SITE PLAN - 1:250 OS MAP OVERLAY), BL191202 (PROPOSED SITE PLAN - 1:250 VISUAL OVERLAY), BL191202 (PROPOSED SITE PLAN - 1:500 OS MAP OVERLAY), BL191202 (PROPOSED SITE PLAN - 1:500 VISUAL OVERLAY), BL191202 (EXISTING & PROPOSED ELEVATIONS)

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the locality, the residential amenity of neighbouring occupiers and the openness of the Metropolitan Green Belt in accordance with Policies CP1, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2, DM6, DM7, DM8, DM9, DM11, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

- C3 The proposed development hereby permitted, shall be carried out in accordance with the materials as shown on the approved plans and application forms, and no external materials shall be used other than those approved. All other works, including the proposed brick walls and piers, or making good to the retained fabric shall be finished to match in size, colour, texture, and profile those of the existing features.

Reason: In the interests of the visual amenity of the area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011).

- C4 Prior to the end of the first planting and seeding season following first use of the development, details of replacement tree planting shall be submitted to and approved in writing by the Local Planning Authority.

If any trees 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 and landscape character of the area 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).

- C5 The tree protection measures, including protective fencing in accordance with BS5837 2012, as shown on drawing number ARBTECH TPP 01 shall be installed in full accordance with the approved drawing 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.

Reason: This condition is required 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).

- C6 The development hereby permitted shall be carried out in accordance with the details contained within the submitted Arboricultural Method Statement, dated 9 November 2023. The approved Arboricultural Method Statement shall be adhered to throughout the construction period.

Reason: 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).

- C7 The development hereby permitted shall be carried out in accordance with the details contained within the submitted Construction Phase Health & Safety Plan, dated 28 January 2024. The approved Construction Method Statement shall be adhered to throughout the construction period.

Reason: This condition is a pre commencement condition in the interests of highway safety and convenience in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).

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 £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 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:

- (a) Making a Non-Material Amendment
- (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 development maintains/improves the economic, social and environmental conditions of the district.
- 14 The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
- 15 Obstruction of highway: 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.
- 16 Obstruction of highway: 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.

- 17 Obstruction of highway: 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.