

Reason: In order to ensure a satisfactory form of development relative to surrounding buildings and landscape and to meet the requirements of Policy GEN3 and Appendix 2 of the Three Rivers Local Plan 1996–2011.

5 The construction of the development hereby permitted involving the operation of any heavy plant or machinery shall not be carried out on the site except between the hours of 08.00 and 18.00 Mondays to Fridays, and between the hours of 08.00 to 13.00 on Saturdays.

Reason: To protect the amenities of the surrounding residential properties and to meet the requirements of Policy GEN1 and Appendix 1 of the Three Rivers Local Plan 1996–2011.

6 The dwellings shall not be occupied until sewage disposal and drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the amenities of future occupiers are met and to meet the requirements of Policy GEN6 of the Three Rivers Local Plan 1996–2011.

7 All areas of parking and storage and delivery of materials associated with the construction of the development shall be provided within the site on land which is not public highway.

Reason: In the interest of highway safety and free and safe flow of traffic and to meet the requirements of Policy T7 of the Three Rivers Local Plan 1996–2011.

8 No removal of trees or scrub to take place between 1 March – 31 August inclusive, unless searched immediately beforehand by a suitably qualified ecologist.

Reason: To ensure that any protected species are safeguarded and to meet the requirements of Policies N1 and N3 of the Three Rivers Local Plan 1996–2011.

9 No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

The protective measures, including fencing, shall be undertaken in accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained 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, without the written consent of the local planning authority. 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: In the interests of visual amenity and to meet the requirements of Policies N15 and N16 of the Three Rivers Local Plan 1996–2011.

10 Prior to the commencement of the development details for refuse storage and disposal facilities shall be submitted to the Local Planning Authority for approval in writing. Thereafter the approved refuse storage and disposal facilities shall be provided prior to the occupation of that part of the development.

Reason: To ensure that appropriate refuse storage and disposal facilities are available to serve the development at all times, in the interests of the future occupiers of the development, to safeguard visual amenities of the development and to meet the requirements of Policies GEN1, GEN 3, T7 and Appendices 1 and 2 of the Three Rivers Local Plan 1996–2011.

11 Immediately following the implementation of this permission, notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment No 2) Order 2008 (or any other order revoking and re-enacting that order with or without modification) the following Classes of Schedule 2 of the Order as amended are withdrawn....

Part 1

- Class A - enlargement improvement or other alteration to the dwelling
- Class B - enlargement consisting of an addition to the roof
- Class C - alteration to the roof
- Class D - erection or construction of a porch outside any external door
- Class E - building, enclosure or swimming pool for purposes incidental to the enjoyment of the dwelling
- Class F - hard surface for any purpose incidental to the enjoyment of the dwelling house
- Class H - satellite antenna

Part 2

- Class A - gate, fence or wall or other mean of enclosure

No development of any of the above classes shall be constructed or placed on any part of the land the subject of this permission.

Reason: To safeguard the visual amenities of the occupiers of neighbouring properties and the locality in accordance with Policy GEN3 and Appendix 2 of the Three Rivers Local Plan 1996–2011.

12 Notwithstanding the provisions of Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment No 2) Order 2008 (or any other order revoking and re-enacting that order with or without modification) the garages serving the dwelling(s) hereby permitted shall be retained primarily for the garaging of private cars. No alterations shall be carried out to the garage such as to prevent its use for garaging private cars.

Reason: In the interests of the visual amenities of the area and to ensure that on-site car parking provision is maintained to avoid the standing of vehicles on the adjoining highway to the detriment of safety the free flow of traffic thereon and to meet the requirements of Policies T7, T8, GEN3 and Appendix 3 of the Three Rivers Local Plan 1996–2011.

13 The development shall not begin until details of the layout and construction of the new private access road to Watford Road have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the private access road has been laid out and constructed in accordance with the approved details.

Reason: To minimise danger, obstruction and inconvenience to users of the highway and the access and to meet the requirements of Policy T7 of the Three Rivers Local Plan 1996 - 2011.

14 The development shall not begin until details of the disposal of surface water from the private access road have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works for the disposal of surface water have been constructed in accordance with the approved details.

Reason: To minimise danger, obstruction and inconvenience to highway users and to meet the requirements of Policy T7 of the Three Rivers Local Plan 1996 - 2011.

15 Within one month of the new access being brought into use, all other existing access points not incorporated into the development hereby permitted shall be stopped up by raising the existing dropped kerb and reinstating the footway, verge and highway boundary to the same line, level and detail as the adjoining footway, verge and highway boundary in accordance with details submitted to and approved in writing by the Local Planning Authority.

Reason: To limit the number of access points along the site boundary for the safety and convenience of highway users and to meet the requirements of Policy T7 of the Three Rivers Local Plan 1996 - 2011.

16 Notwithstanding the provisions of Part 2 of the Second Schedule to the Town and Country Planning General Development Order 1995 (or any Order revoking or re-enacting that Order) no gates shall be erected along the site frontage across the vehicle access within 10.5m of the adjacent footway. Any gates should be erected such that they are prevented opening outwards towards the adjacent highway in accordance with details submitted to and approved in writing by the Local Planning Authority and they shall be maintained thereafter in accordance with the approved details.

Reason: To minimise danger, obstruction and inconvenience to users of the adjacent highway and to meet the requirements of Policy T7 of the Three Rivers Local Plan 1996 - 2011.

17 The development shall not begin until a dimensioned drawing showing details of the layout, size and construction of the proposed parking and manoeuvring areas has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the areas have been laid out and constructed in accordance with approved details, and made available for use and those areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway and to meet the requirements of Policy T7 of the Three Rivers Local Plan 1996 - 2011.

18 Prior to the commencement of demolition works details of the method of washing of vehicle wheels exiting the site shall be submitted to and approved in writing by the Local Planning Authority and the agreed method shall be operated at all times during the period of site works.

Reason: To minimise danger, obstruction and inconvenience to users of the highway and to meet the requirements of Policy T7 of the Three Rivers Local Plan 1996 - 2011.

19 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), 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:

(1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

(2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(3) The site investigation results and the detailed risk assessment (2) 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.

(4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) 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: From the submitted report, there is a strong indication that the site is contaminated. Based on this, a remedial strategy should be drawn up providing a statement of works and method statement. This should be effective in mitigating the contamination on site and to meet the requirements of Policies N4 and N5 of the Three Rivers Local Plan 1996 - 2011.

20 Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason: This is to ascertain that the remedial strategy has been effective in mitigating the contamination found on site and to meet the requirements of Policies N4 and N5 of the Three Rivers Local Plan 1996-2011.

21 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To prevent the pollution of groundwater and to meet the requirements of Policies N4 and N5 of the Three Rivers Local Plan 1996-2011.

22 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason: This is to avoid creating preferential pathway that expose groundwater to contamination and to meet the requirements of Policies N4 and N5 of the Three Rivers Local Plan 1996 - 2011.

23 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development; the approved landscaping scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of any of the building(s) hereby approved and retained.

Reason: In the interests of visual amenity and to meet the requirements of Policies N15, N16, GEN3 and Appendix 2 of the Three Rivers Local Plan 1996 – 2011.

24 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of visual amenity and to meet the requirements of Policies N15, N16, GEN3 and Appendix 2 of the Three Rivers Local Plan 1996 – 2011.

25 No trees, hedgerows or shrubs within the curtilage of the site, except those shown on the approved plan(s) or otherwise clearly indicated in the approved details as being removed, shall be felled, lopped or pruned, nor shall any roots be removed or pruned without the prior consent of the Local Planning Authority during development and for a period of five years after completion of the development hereby approved. Any topping or lopping approved shall be carried out in accordance with BS 3998 (Tree Works). Any trees, hedgerows or shrubs removed or which die or become dangerous, damaged or diseased before the end of a period of five years after completion of the development hereby approved shall be replaced with new trees, hedging or shrub species (of such size species and in such number and position as maybe agreed in writing), before the end of the first available planting season (1st November to 31st March) following their loss or removal.

Reason: The existing trees/hedgerows/shrubs represent an important public visual amenity in the area and to meet the requirements of Policies N15, N16, GEN3 and Appendix 2 of the Three Rivers Local Plan 1996 – 2011.

26 No development shall commence until details for energy saving measures and a sustainability design and management plan for the site have been submitted to and approved in writing by the Local Planning Authority.

Reason: No ensure that the development meets the requirements of Policies GEN1, Table 1 and Appendix 1 of the Three Rivers Local Plan 1996–2011 and to make as full a contribution to sustainable development principles as possible.

27 Reports on monitoring, maintenance and any contingency action carried out in accordance with a long term monitoring and maintenance plan shall be submitted to the local planning authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the local planning authority.

Reason: Contamination has been identified at the site which will likely require remediation. Long term monitoring is likely to be required to demonstrate the effectiveness of the remediation and to confirm that the site is not degrading off-site groundwater quality or the water quality in the nearby River Gade. To meet the requirements of Policies N4 and N5 of the Three Rivers Local Plan 1996-2011.'

28 The Development shall not be occupied until arrangements have been agreed with the Local Planning Authority to ensure the safe access and egress of refuse collection vehicles so that they can enter and exit the site in a forward gear for the provision and collection of waste recovery and recycling facilities.

Reason: In the interests of the amenities of future occupiers and general highway safety and to meet the requirements of Policies N10 and T7 of the Three Rivers Local Plan 1996 – 2011.

INFORMATIVES :-

- 1 Subject to the imposition of conditions attached to this permission, the proposed dwelling(s) would not have a significant adverse effect on the residential amenities of any neighbouring properties, or otherwise result in demonstrable harm, to such an extent to justify the refusal of planning permission and would comply with Policies GEN1, GEN1a, GEN2, GEN3, GEN5, GEN6, GEN7, GEN8, N4, N5, N15, N16, N17, N18, D1, D8, D9, H1, H2, H3, T7, T8, T9, T10, T11 and Appendices 1, 2 and 3 of the Three Rivers Local Plan 1996- 2011 (Adopted 2001).
- 2 Works to be undertaken on the adjoining Highway will require an Agreement with the Highway Authority. Before commencing the development the applicant shall contact the South West Highways Area Office, Shire House, Bridle Path, Watford, WD17 1AL to obtain their permission/requirements. This is to ensure any works undertaken in the highway is constructed in accordance with the Highway Authority's specification and by a contractor who is authorised to work in the public highway.
- 3 The applicant is reminded that this planning permission is subject to an agreement under Section 106 of the Town and Country Planning Act 1990.
- 4 The applicant is encouraged to incorporate energy saving and water harvesting measures when implementing this permission. Information is available from the Council's Building Control Section, who may be contacted on 01923 727138, and on the website www.threeriversbuildingcontrol.co.uk. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Control Section prior to the commencement of work.
- 5 The applicant is reminded that with regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or surface water sewer.
- 6 The applicant is advised that the Government has introduced new fees for the written discharge of conditions. Requests can be made by letter or by application form. Forms are available on our website together with further details for the new charges. The fees are payable per request and not per condition. Requests made without the appropriate fee will be returned unanswered. The fees are £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse).
- 7 Bats may be present and all demolition works within or to existing roof spaces must proceed with caution. Bats are protected from disturbance under UK & European Law, and if they are found all works in that area should stop immediately and advice sought as to how to proceed from either of the following organisations:

Natural England: 01206 796666
UK Bat Helpline: 0845 1300 228
Herts & Middlesex Bat Group Helpline 01992 581442

Please note that this consent grants planning permission subject to any conditions listed above. It does **NOT** overcome the need to obtain any consents under other legislation (e.g. Building Regulations and Environmental Protection) or obtain agreement under private land law (e.g. due to restrictive covenants and easements). Leaseholders are advised to consult their Landlord/Freeholder prior to carrying out any work.

Dated: 7 December 2009

Signed

Geof Muggeridge, Development Manager

For Director of Community and Environmental Services.

On behalf of Three Rivers District Council, Three Rivers House, Northway, Rickmansworth, Herts
WD3 1RL