

**THREE RIVERS DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990 : SECTION 70
PERMISSION TO DEVELOP LAND**

To : Simpson McHugh
Studio 4
Warmair House
Green Lane
Northwood
Middx

Radiation Limited
On behalf of

Site : **15 Moneyhill Parade Uxbridge Road Rickmansworth**

Proposed Development : Demolition of existing public convenience building and erection of two storey side and single storey rear extension to provide new cafe (Class A3) and three self contained flats (Class C3) and extended restaurant (Class A3)

Ref No : 08/0203/FUL

Date Received Valid: 14 February 2008

In pursuance of its powers under the above mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council as Local Planning Authority hereby **PERMITS** the development proposed by you in your application as set out above and shown on plan numbers: **2544/0, 2544/5 REV F, 07/379, SJ STEPHENS ASSOCIATES,**

accompanying the application.

Consent is subject to the following conditions :-

- 1 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.

- 2 The use of the café hereby permitted shall not operate other than between the hours of 08.00 – 17.00 Monday to Friday and 08.00 – 14.00 on Saturdays and shall not open on Sundays or Bank holidays.

Reason: To safeguard the residential amenities of the occupiers of neighbouring properties in accordance with Policy GEN1 of the Three Rivers Local Plan 1996-2011.

- 3 No trees to be felled/lopped: 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 (Recommendations for Tree Works) 1989. 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 in accordance with Policies N15 and N16 of the Three Rivers Local Plan 1996-2011.

- 4 Tree Protection Scheme: 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 the scheme hereby approved by the Local Planning Authority (drawing No. 07/379 and measures outlined in the Arboricultural report titled SJ Stephens Associates, Money Hill Parade, 09/11/07). This scheme is in accordance with BS5837 (Trees in Relation to Construction) 2005.

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 in accordance with Policies N15 and N16 of the Three Rivers Local Plan 1996-2011.

- 5 Arboricultural Method Statement: No development or other operation shall commence on site until a scheme (herein called the Approved Method Statement of Arboricultural Works Scheme) which indicates the construction methods to be used in order to ensure the retention and protection of tree, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the local planning authority.

No operations shall commence on site in connection with the development hereby approved (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) until the tree protection works required by the approved scheme are in place on site.

The fencing or other works which are part of the approved scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the local planning authority has first been sought and obtained.

Reason:In the interests of visual amenity and in accordance with Policies N15 and N16 of the Three Rivers Local Plan 1996-2011.

- 6 The windows in the side elevation of the development hereby permitted shall not at any time be glazed other than with purpose-made obscured glass and shall be non-opening or top vent opening only and be permanently so retained thereafter.

Reason:To safeguard the residential amenities of the occupiers of neighbouring properties in accordance with Policy GEN 3 and Appendix 2 of the Three Rivers Local Plan 1996-2011

- 7 Notwithstanding the provisions of the Town and Country Planning, (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows or similar openings shall be constructed in the elevations of the building and extensions hereby permitted except for any which may be shown on the approved drawing(s).

Reason:To safeguard the residential amenities of the occupiers of neighbouring properties in accordance with Policies GEN1, GEN 3 and Appendix 2 of the Three Rivers Local Plan 1996-2011.

- 8 No part of the public highway (including the footway) adjacent to the site shall be obstructed at any stage either prior to occupation or upon occupation and commencement of trading.

Reason: To ensure easy and unobstructed access for users of the public highway at all times and to meet the requirements of Policy T7 of the Three Rivers Local Plan 1996 – 2011.

- 9 The scheme for parking indicated on the submitted plans shall be laid out and made available for use prior to the initial occupation of the development here by permitted and thereafter shall not be used for any other purpose.

Reason: To enable vehicles to draw off and park clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway and to meet the requirements of Policies T7 and T8 of the Three Rivers Local Plan 1996 – 2011.

- 10 All areas for parking and storage and delivery of materials associated with the construction of this development shall be provided within the site on land which is not public highway and the use of such areas must not interfere with the use of the 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.

INFORMATIVES :-

- 1 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.
- 2 Subject to the conditions attached to this permission, the proposed development would be in compliance with Policies GEN 1, GEN 3, S3, N15, N16, T7 and T8 and Appendices 1 and 2 of the Three Rivers Local Plan 1996-2011 (adopted 2001), and would not have a significant adverse effect on the residential amenities of any neighbouring properties to such an extent to justify the refusal of planning permission, or otherwise result in demonstrable harm.

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: 3 April 2008

Signed

Geof Muggeridge, Chief Development Control Officer

For Director of Leisure and Environment

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