

THREE RIVERS DISTRICT COUNCIL

APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED): SECTION 70

Boyd Seddon
BBR Architects
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SG5 2DY

Our Ref : 10/0164/DIS
Your Ref : 10596.TRCouncil
Date : 29 November 2010
Contact : Laurence Moore
Tel No : 01923 776611
Department : Community and Environmental Services

Dear Mr Seddon

Site Address: Land At 249 - 253 Watford Road, Croxley Green, Rickmansworth, WD3 3RX
Planning Application Reference: 09/1341/FUL

Development: Demolition of existing dwelling and buildings and redevelopment of site for the erection of ten two-storey dwellings with garaging, parking and new road.

I refer to your letter and application dated 29th September 2010 received in this office with the appropriate fee on 4th October 2010, regarding details pursuant to conditions 6, 9, 14, 18, 19, 23 and 26 of planning permission 09/1341/FUL for the above site. All conditions are detailed below.

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

The development will need to commence before 6th December 2012 subject to all the pre-commencement conditions being discharged beforehand.

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

In my letter dated 27th August 2010, I confirmed that the details set out in your letter dated 16th June 2010 and the samples submitted were acceptable. I trust that the approved external materials will be used in the construction of the development.

- 3 Notwithstanding the details shown on the submitted plans, the development shall not commence until full details (including design, materials, height and type of all boundary treatment(s) has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the Local Planning Authority. The approved scheme shall be maintained thereafter at all times.

In my letter dated 27th August 2010, I confirmed that the details submitted with your letter dated 12th July 2010 and shown on Drawing 702 were acceptable. I trust that the agreed means of enclosure will be constructed prior to the occupation of the dwellings.

- 4 Prior to the commencement of development, details of the existing site levels and the proposed finished floor levels and sections of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. The constructed development shall not vary from the approved levels.

In my letter dated 27th August 2010, I confirmed that the existing site levels and proposed finished floor levels and sections shown on Drawing MWSC-CG-01 and Drawing No. 300 were acceptable. I trust that the development will be constructed in accordance with the approved levels.

- 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.

I trust your client will comply with the requirements of this condition during the construction of the development.

- 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.

Details have been submitted with your letter and application dated 29th September 2010. I can confirm that the details are acceptable and trust that the approved details will be implemented prior to the first occupation of the development.

- 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.

I trust that your client will comply with the requirements of this condition during the construction of the development.

- 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.

I trust your client will comply with the requirements of this condition.

- 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.

In your letter dated 29th September 2010 you have stated that *'all existing trees on the site will be removed, thereby eliminating the requirement for any tree protection works and discharging condition 9'*.

The Landscape Officer has no objection to this. As such condition 9 is discharged.

- 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.

In my letter dated 27th August, I confirmed that the refuse storage and disposal facilities for each individual house were considered to be acceptable. However in order for the refuse vehicle to serve the individual houses, the access and egress for refuse vehicles must be approved before hand as set under condition 28.

I consider this condition can only be discharged when condition 28 has been approved.

- 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.

I trust your client will ensure that future occupiers of the proposed houses are made aware that further development to the houses will require the express planning permission of the Local Planning Authority.

- 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.

I trust your client will ensure that future occupiers of the proposed houses are made aware of this requirement to ensure that car parking provision is met to serve the development.

- 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.

In your letter dated 29th September 2010, you advise that you are in contact with Peter Oliver at Hertfordshire Highways and will forward amended drawings once complete.

To date amended drawings have not been submitted. On 18th November 2010, I received the following comments from the Highway Authority:

The bbr letter indicates they have agreed minor changes and will forward amended drawings when complete. The applicants should also be aware the construction of the junction with Watford Road will require works to be undertaken on the adjoining Highway which 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. The details of these works will be approved as part of this agreement and as far as I am aware this agreement has not been completed

In view of the comments received from the Highway Authority this condition remains outstanding. I suggest that you discuss this direct with the Highway Authority prior to resubmitting details pursuant to this condition.

- 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.

Details have been submitted with your letter dated 29th September 2010. The Highway Authority has made the following comments:

Plan 2072.PH.01 shows gullies, connected to a soakaway within the site, located at the tangent points of the bellmouth radii of the junction of the access with Watford Road. These details are acceptable to partially discharge the condition to allow works to begin but the condition can not be fully discharged until the works are complete

The details are acceptable and I trust that the approved details will be implemented accordingly.

- 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.

To date, no details have been submitted. I trust that you will be submitting details pursuant to the requirements of this condition in due course. May I remind you of the need to obtain the requisite approval. This should be submitted before development commences as the details should be submitted along with the other 'highway conditions' required to be submitted prior to commencement.

- 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.

I trust your client will comply with the requirements of this condition. Any variation will require an application to vary or remove the condition.

- 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.

Details were submitted with your letter dated 12th July 2010 when the Highway Authority made the following comments:

Drawing 703 shows the parking bays dimensions and the construction will be block paving. The block paving surfacing is acceptable but to accommodate a car without the car having to project beyond the curtilage of the site onto the access road parking bays at right angles to the carriageway should be at least 4.8m long by 2.4m wide with 6.0m at the front to allow access and a 0.8m strip at the back to allow for vehicle overhang. Some of the bays are less than the required 5.6m (4.8m + 0.8m) length. It is not clear whether the parking areas are for 1 or 2 cars but if they are for 2 cars some are narrower than the required 4.8m (2.4 x 2) width. This condition can not be discharged.

Your letter dated 29th September 2010 refers to this condition and requests that the condition be discharged.

On 18th November 2010, the Highway Authority made the following comments:

The bbr letter indicates as this is a private road my advise regarding parking bay sizes is not enforceable. The previously submitted plan 10596/703 showed the parking bays construction of block paving. These details are acceptable to partially discharge the condition to allow works to begin but the condition can not be fully discharged until the works are complete.

I note that drawing 2072.PH.01 shows some parking spaces but does not include all the parking areas to serve the proposed dwellings. I consider that a revised drawing needs to be submitted to show all the parking spaces and to address the comments made by the Highway Authority (set out in my letter 27th August 2010) and 18th November 2010.

In view of the above, the details submitted are unacceptable and I look forward to receiving revised details. This condition remains outstanding.

- 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.

Details have been submitted with your letter dated 29th September 2010. The Highway Authority has made the following comments:

The submitted details indicate wheels will be cleaned by jet wash and washing water will drain to a sump. Water will be recycled and any resultant silt disposed of correctly. No details are provided of the type of sump. Details are also required of how the contaminated water from the vehicle washing will be disposed of.

The submitted details are unacceptable and this condition remains outstanding. May I remind you of the need to obtain the requisite approval before development commences.

- 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.

Details have been submitted with your letter dated 29th September 2010. The Council's Environmental Health Officer confirms that these details are acceptable.

The Environment Agency was consulted on 19th October 2010 regarding the information submitted however they have not been able to respond in time.

- 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.

To date, no details have been submitted. I trust that you will be submitting details pursuant to the requirements of this condition in due course. May I remind you of the need to obtain the requisite approval before development commences.

- 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.

I trust that this condition will be complied with during the construction of the development.

- 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.

I trust that this condition will be complied with during the construction of the development.

- 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.

Details have been submitted with your letter dated 29th September 2010. The submitted details are acceptable and I trust that the approved landscaping scheme will be implemented in accordance with the requirements of the condition.

- 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.

I trust that the requirements of this condition will be complied with and that future occupiers of the houses will be made aware of the need to replace any planting within 5 years from when the landscaping is implemented.

- 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.

I trust that the requirements of this condition will be complied with and that future occupiers of the houses will be made aware of the need to replace any planting within 5 years from when the landscaping is implemented.

- 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.

Details have been submitted with your letter dated 29th September 2010. Whilst the topics discussed in the Sustainability Statement are welcomed it does not address or refer to the use of renewable / alternative energy sources. This is demonstrated by the statement's Code Pre-Assessment giving a predicted rating of Code Level 2. For a development of this nature, the Local Planning Authority would expect to see a higher Code Level. Any future submission will need to explore and discuss the use of renewable / alternative energy sources such as ground source heat pumps / air source heat pumps / solar panels / photo voltaic's / wind turbines etc.

The management of sustainable design measures will need to be included. The submitted details are unacceptable and I invite you to resubmit details pursuant to this condition. This condition remains outstanding.

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.

I trust that the requirements of this condition will be met.

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.

I note that in your letter dated 29th September 2010 you considered that the necessary information was submitted on drawing 703. That drawing does not contain sufficient information. Matters which need to be addressed to meet the requirements of this condition are the provision of turning diagrams on the submitted plans and the provision of measures to ensure that the refuse vehicles can enter and exit the site safely; particularly on collection days. Will the road have waiting restrictions? How will the refuse vehicle be able to pass through any proposed entrance gates?

As set out in my letter 27th August 2010, I confirmed that provided the approved details are adhered to, conditions 3 and 4 of planning permission 09/1341/FUL dated 7th December 2009 are discharged.

In my letter dated 22nd July 2010, I advised that condition 2 had been discharged and that Condition 10 is partially discharged.

The details submitted pursuant to conditions 6, 9, 14, 19 & 23 with your letter dated 29th September 2010 are acceptable.

Further information is required as detailed above in order to discharge conditions 13, 15, 17, 18, 20, 26 and 28. I look forward to receiving these details in due course.

Please find enclosed a receipt for £85.00 for the Local Planning Authority's consideration of your submission dated 29th September 2010.

Please note that an additional fee is required for each submission.

Yours sincerely



Geoff Muggeridge
Head of Development Management and Environmental Health