

THREE RIVERS DISTRICT COUNCIL

APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION

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

Jonathan Presland
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Nickron House
Bury Lane
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WD3 1DN.

Our Ref : 10/0141/DIS
Your Ref : 6031/B1/JB
Date : 5 October 2010
Contact : Laurence Moore
Tel No : 01923 776611
Department : Community and Environmental Services

Dear Mr Presland

Site Address: Car Park Grove Crescent Croxley Green
Planning Application Reference: 09/1288/FUL
Development: Proposed Block of Six Flats in Two Storey Building on Existing Car Park with Associated Car Parking and Landscaping

I refer to your letter and application dated 19th August 2010 received in this office with the appropriate fee on 19th August 2010, regarding details pursuant to conditions of planning permission 09/1288FUL 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.

To enable this condition to be met, the pre-commencement conditions must be agreed in writing by the Local Planning Authority before any development commences on site. However it appears that development may have commenced on site as excavations have taken place on the land.

- 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.

I can confirm that the submitted details/samples including Capital Brown Multi Stock facing bricks to the walls and Grovebury Breckland Brown rooftiles are acceptable. I trust that the development will be implemented in accordance with the approved details.

- 3 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.

To date, no details have been submitted pursuant to this condition. This condition remains outstanding.

- 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.

To date, no details have been submitted pursuant to this condition. This condition remains outstanding.

- 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 that your client will comply with the requirements of this condition.

- 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.

To date, no details have been submitted pursuant to this condition. This condition remains outstanding.

- 7 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.

I can confirm that the submitted 'report on ground investigation and preliminary contamination assessment' dated 1st July 2010 Ref G/061015/101 prepared by K F Geotechnical Consulting Engineers is acceptable. I trust that the report will be complied with.

- 8 If during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing by 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 Method Statement detailing how this unsuspected contamination shall be dealt with.

No details are required to be submitted at this stage. Please see my comments with regard to condition 7 above. I trust that if any contamination is found that an amendment to the ground investigation report will be submitted to the Local Planning Authority.

- 9 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.

No details are required to be submitted at this stage. Please see my comments with regard to condition 7 above. I trust that if any contamination is found that an amendment to the ground investigation report and remediation strategy will be submitted to the Local Planning Authority.

- 10 The parking spaces numbered 8 to 15 on Drawing 2255/MC/PL02 Revision B shall be provided to serve the proposed dwellings. No development shall take place until a scheme for the allocation, management and maintenance for these parking spaces has been submitted in writing for the approval of the Local Planning Authority. Thereafter no dwelling shall be occupied until the scheme for parking and manoeuvring which serves that dwelling has been laid out as indicated on the approved in principle plan 2255/MC/PL02 Revision B (or any subsequent amendment agreed in writing by the Local Planning Authority) and constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any other purpose.

To date no details have been submitted pursuant to this condition. This condition remains outstanding. However, I trust that the requirements of this condition will be met by your client and that your client will ensure that future occupiers are made aware of the requirements of this condition.

- 11 The parking spaces numbered 1 to 7 on Drawing 2255/MC/PL02 Revision B shall be provided and remain unallocated thereafter for use by the general public and visitors. The development shall not begin until details of the highways works comprising of the laying out and construction of the seven parking spaces on Grove Crescent have been approved in writing by the Local Planning Authority. The dwellings hereby permitted shall not be occupied until these parking spaces have been provided to the satisfaction of the Local Planning Authority in accordance with the approved details.

To date no details have been submitted pursuant to this condition. This condition remains outstanding. However, I trust that the requirements of this condition will be met by your client and that your client will ensure that future occupiers are made aware of the requirements of this condition.

- 12 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 can confirm that the Elmaw Consulting survey found no bird nests in use. The details are acceptable and this condition is discharged.

- 13 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.

To date, no details have been submitted pursuant to this condition. This condition remains outstanding.

- 14 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons prior to the occupation of the development; 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.

To date, no details have been submitted pursuant to condition 13. This condition also remains outstanding.

- 15 A landscape management plan including long term design objectives, management, responsibilities, and maintenance schedule for all landscape areas other than small privately owned domestic gardens shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development whichever is the sooner for its permitted use. The landscape management plan shall be carried out as approved.

To date, no details have been submitted pursuant to this condition. This condition remains outstanding.

- 16 The construction of the site drainage system shall be carried out in accordance with details submitted to and approved in writing by the Local Planning Authority before development commences.

To date, no details have been submitted pursuant to this condition. This condition remains outstanding.

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

To date, no details have been submitted pursuant to this condition. This condition remains outstanding.

- 18 No trees, hedgerows or shrubs within the curtilage of the site, except those shown with the approved Tree Report (IB/1372R/ag) 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.

To date, no details have been submitted pursuant to this condition. This condition remains outstanding. I trust that your client will comply with this condition.

- 19 The protective measures, including fencing, shall be undertaken in accordance with the approved scheme (Drawing No. IB 1372R) 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.

I trust that your client will comply with the requirements of this condition and that tree protection measures will be in place at all times during the course of the construction of the development.

- 20 No development or other operation shall commence on site until a method statement has been submitted to and approved in writing by the Local Planning Authority. This method statement shall include details of removal of material from the site, importation and storage of building materials on the site, details and depths of underground service routes, methods of excavation and construction methods, in particular where they lie close to trees. The construction methods to be used shall ensure the retention and protection of trees, shrubs and hedges growing on or adjacent to the site. The development shall only be implemented in accordance with the approved method statement.

To date, no details have been submitted pursuant to this condition. This condition remains outstanding.

- 21 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.

I trust that your client will comply with the requirements of this condition and that tree protection measures will be in place at all times during the course of the construction of the development.

- 22 Notwithstanding the submitted details the development shall not begin until details of the layout and construction of the access driveway to Grove Crescent have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the access driveway has been laid out and constructed in accordance with the approved details.

To date, no details have been submitted pursuant to this condition. This condition remains outstanding.

- 23 The development shall not begin until details of the disposal of surface water from the access driveway 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.

To date, no details have been submitted pursuant to this condition. This condition remains outstanding.

- 24 Prior to the commencement of the site works details of on-site parking for all contractors, sub-contractors, visitors and delivery vehicles shall be approved in writing by the Local Planning Authority and that area shall be maintained available for use at all times during the period of site works.

To date, no details have been submitted pursuant to this condition. This condition remains outstanding.

- 25 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.

To date, no details have been submitted pursuant to this condition. This condition remains outstanding. I invite you to refer to the Council's website www.threerivers.gov.uk and search under 'carbon planner'. You will also need to refer to the Council's adopted supplementary planning document – 'sustainable communities'.

The condition requires details of the design and also a management plan for sustainable design and energy saving measures. I invite you to submit details to meet these requirements. This condition remains outstanding.

I note that trenches have been dug on the site and it appears that commencement of development has taken place. If this is the case, then none of the pre-commencement conditions can be discharged as works have taken place in advance of the Local Planning Authority approving the details in writing.

The development is also subject to a unilateral undertaking dated 26th November 2009 between Three Rivers District Council and Hertfordshire County Council. This is binding on the successors in title when development commences. Contributions are required to be made payable to Hertfordshire County Council for the following:

Childcare Contribution	£244.00
Library Contribution	£670.00
Nursery Contribution	£844.00
Primary Education Contribution	£3450.00
Secondary Education Contribution	£1870.00
Sustainable Transport Contribution	£4250.00
Youth Contribution	£58.00

A Monitoring fee of £1000 needs to be paid to Three Rivers District Council.

The unilateral undertaking requires the contributions and monitoring fee to be paid at least 5 days before the commencement of development.

I trust that your client will ensure that the contributions are made expeditiously.

In summary, I can confirm that the details submitted for conditions 2, 7, and 12 are acceptable.

Further information is required to be submitted to the Local Planning Authority to enable details pursuant to conditions 3, 4, 6, 10, 11, 13, 14, 15, 16, 17, 18, 20, 22, 23, 24 and 25 to be given further consideration.

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

Yours sincerely


Geof Muggerridge
Head of Development Management and Environmental Health