



Hertsmere  
Borough Council

Civic Offices  
Elstree Way, Borehamwood  
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www.hertsmere.gov.uk

## Decision Notice

### Town and Country Planning Act 1990 Town and Country Planning (Applications) Regulations 1988

#### AGENT

Mr James Lai  
JLArchitecture  
77 Ellesmere Court  
Luton  
LU2 0GD

#### APPLICANT

Mr and Mrs Charlie and Karen Frieze  
5 Grange Road  
Elstree  
Hertfordshire  
WD6 3LY

#### Application Number:

22/1981/HSE

#### Location of Development:

5 Grange Road, Elstree, Borehamwood, Hertfordshire, WD6 3LY

#### Description of Development:

Construction of a part single, part two storey front extension, part single storey, part two storey rear extension, single storey side extension, and alterations to fenestration. Conversion of loft to habitable space with associated roof alterations to include and increase in ridge height, insertion of 2 x rear cabrio balconies and 4 x front roof lights. Associated landscaping works to allow for additional parking on existing driveway and new levelled garden patio to rear (Amended plans received 12.12.22 - solar panels added to roof and air conditioning units added to side elevation facing number 7).

In pursuance of its powers under the above mentioned Act and the Orders and Regulations for the time being in force there under, the Council hereby **GRANTS Planning Permission** for the development proposed by you in your application received by us on 29 November 2022 and received with sufficient particulars on 29 November 2022 and shown on the plan(s) accompanying such application.

**THIS DECISION IS SUBJECT TO THE FOLLOWING CONDITION(S) AND REASON(S):**

01. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

02. The flat roof area of the single storey rear extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason: To satisfactorily protect the residential amenities of nearby occupiers. To comply with Policies SADM3 and SADM30 of the Site Allocations and Development Management Policies Plan 2016 and Policy CS22 of the Hertsmere Core Strategy 2013.

03. The windows to be created in both existing first floor flank elevations, indicated on plan numbers 201 and 206A, shall be in fully obscure glass (to Pilkington Level 3 or equivalent) and non-opening below a height of 1.7 metres measured from the internal finished floor level. The windows shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

Reason: To satisfactorily protect the residential amenities of nearby occupiers. To comply with Policies SADM3 and SADM30 of the Site Allocations and Development Management Policies Plan 2016 and Policy CS22 of the Hertsmere Core Strategy 2013.

04. Noise from plant and equipment associated with the development shall be 10dB (LAeq) below the background noise level (LA90) at the nearest residential properties (5dB below the background noise level if evidence is provided which shows that no tonality is present).

Reason: To satisfactorily protect the residential amenities of nearby occupiers. To comply with Policies SADM3, SADM20 and SADM30 of the Site Allocations and Development Management Policies Plan 2016 and Policies CS16 and CS22 of the Hertsmere Core Strategy 2013.

05. The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission.

- o 97 Existing block plan
- o 99 Location plan  
(Received by the Council on 29.11.22)
- o 100 Existing ground floor plan
- o 100 Existing first floor plan

- o 102 Existing attic plan
- o 103 Existing roof plan
- o 104 Existing front elevation
- o 105 Existing rear elevation
- o 106 Existing side elevation
- o 107 Existing section
- o 200 Proposed ground floor plan
- o 201 Proposed first floor plan
- o 202 Proposed attic plan
- o 203A Proposed roof plan
- o 204 Proposed front elevation
- o 205A Proposed rear elevation
- o 206A Proposed side elevations
- o 207 Proposed section

(Received by the Council on 13.01.23)

Reason: For the avoidance of doubt and in the interests of proper planning.

**GENERAL REASON(S) FOR GRANTING PERMISSION:**

01. The proposal would not result in a detrimental impact on the character and appearance of the area and would not adversely affect neighbouring residential amenity, car parking or trees. The proposed development would, therefore, comply with the NPPF 2021, Policies SADM3, SADM12, SADM30 & SADM40 of the Site Allocations Development Management Policies Plan 2016, Policies SP1, SP2, CS12, CS22 & CS25 of the Core Strategy 2013, Part D & E of the Planning and Design Guide, Parking Standards SPD 2014 and Draft Sustainable Transport and Parking SPD 2022.

**INFORMATIVE**

01. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

02. Building Regulations

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) or phoning us on 01438 879990.

To make a building regulations application please apply through our website portal at <https://www.hertfordshirebc.co.uk/contact-us/> payment can be made online or by phoning

the above number after the application has been uploaded. Please phone us for fees guidance on 01438 879990.

We can also be contacted by post at Hertfordshire Building control Ltd., 4th Floor, Campus West, Welwyn Garden City, Hertfordshire, AL8 6BX.

Once a building regulations application has been deposited with relevant drawings and fee building work may commence. You will be advised in our acknowledgement letter of the work stages we need to inspect but in most instances these are usually:

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)
- Floor and Roof construction
- Work relating to fire safety
- Work affecting access and facilities for disabled people
- Completion

Please phone 01438 879990 before 10.00am to ensure a same day inspection (Mon - Fri).

Party Wall etc. Act 1996

Any work that affects a party wall, including foundations dug within 3.0m of a neighbouring building, may be controllable under the Act and may require approval from the adjoining owner(s). Party Wall Act matters are always civil matters and it is neither Hertsmere Borough Council's nor Hertfordshire Building Control Ltd's remit to control or enforce Party Wall act matters. Please refer to the Government's explanatory booklet The Party Wall etc. Act 1996, a copy of which is available online at <https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

03. AN1) 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. 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> or by telephoning 03001234047.

04. AN2) 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> or by telephoning 03001234047.

#### 05. Noise control

1. All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of :  
8.00am and 6.00pm on Mondays to Fridays  
8.00am and 1.00pm Saturdays  
and at no time on Sundays and Bank Holidays
2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times
3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions
4. All compressors shall be sound reduced models, fitted with properly lined and sealed acoustic covers, which shall be kept closed whenever the machines are in use. All ancillary pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufactures.
5. All machines in intermittent use shall be shut down during intervening periods between work, or throttled down to a minimum. Noise emitting equipment, which is required to operate continuously, shall be housed in suitable acoustic enclosures.
6. Items of plant and equipment shall be maintained in good condition so that extraneous noise from mechanical vibration, squeaking or creaking is reduced to a minimum.
7. All pile driving shall be carried out by a recognised noise reducing system.
8. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material
9. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.

10. 'BS 5228 Noise Control on Construction Sites' should be referred to for guidance in respect of all work carried out by the developer, their main contractor and any sub contractors.
11. Any emergency deviation from these conditions shall be notified to the Council without delay
12. Any planned deviations from these conditions for special technical reasons, shall be negotiated with Council at least 14 days prior to the commencement of the specific work.
13. Permissible noise levels are not specified at this stage.

#### Dust control

1. All efforts shall be made to reduce dust generation to a minimum
2. Stock piles of materials for use on the site or disposal, that are likely to generate dust, shall be sited so as to minimise any nuisance to residents or neighbouring businesses. Materials for disposal shall be moved off site as quickly as possible.
3. Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles.

### NOTES TO APPLICANT

#### **Community Infrastructure Levy (CIL) – Important Information**

Your development may be considered chargeable for the purposes of the Community Infrastructure Levy. Residential development, Hotels, Retail and Specialist accommodation for the elderly and/or disabled are all liable to be charged CIL.

The Council will issue a CIL Liability Notice and Demand Notice where CIL is liable. The notices will contain details of any financial sums owed, the collection process and details of relief that may be applicable.

#### **IMPORTANT**

**You should be aware that a failure to submit a CIL Commencement Notice prior to beginning development on any site liable for CIL, will result in the full CIL amount having to be paid immediately.**

**It is essential that any relief or exemption is applied for, and**

**approved by the Council, using the relevant exemption or relief forms PRIOR to the commencement of development.**

**Relief cannot be claimed on any retrospective applications.**

**Further information about the CIL process is available at:**

**<https://www.hertsmere.gov.uk/Planning--Building-Control/Infrastructure-and-Delivery/CIL-Procedures-Forms.aspx>**

A person or party must assume liability to pay the levy using the [Form 2: Assumption of Liability](#). If this not already been submitted as part of the planning application, please submit the form to the Infrastructure & Delivery Team at: [cil.monitoring@hertsmere.gov.uk](mailto:cil.monitoring@hertsmere.gov.uk) or Planning (CIL), Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood, Hertfordshire, WD6 1WA.

If nobody assumes liability to pay the Levy, this will default to the Land Owner.

Failure to adhere to the CIL Regulations and commencing work without notifying the Council will result in surcharges being applied.

For further information on how the Community Infrastructure Levy may impact your application, including any financial sum for which you may be liable, please contact the Council at [cil.monitoring@hertsmere.gov.uk](mailto:cil.monitoring@hertsmere.gov.uk). You can also access the Council's CIL webpage at the following link: <https://www.hertsmere.gov.uk/Planning--Building-Control/Infrastructure-and-Delivery/Community-Infrastructure-Levy-CIL.aspx>

## **Building Control**

If this proposal involves demolition of buildings, your attention is drawn to the need to serve notice under section 80 of the Building Act 1984 of intended demolition at least six weeks prior to demolition works commencing. It should be noted that, where asbestos may be present, a survey by a specialist company will be required to determine whether it is present. If asbestos is found the specialist company will be required to submit a method statement to the Health and Safety Executive with a copy to the Council's District Surveyor indicating how the asbestos is to be safely disposed of.

## **Right of Appeal**

If the applicant wishes to have an explanation of the reasons for this decision it will be given on request and a meeting arranged if necessary.

If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990,

If this is a decision to refuse planning permission for a householder application or to grant permission subject to conditions for a householder application and if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice. Unless the following notes are applicable:

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against your local planning authority's decision, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within; 28 days of the date of service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier.

Householder appeals can be made online at: <https://www.gov.uk/appeal-householder-planning-decision>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period of time for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have been granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State and the owner claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the District Council a purchase notice requiring the Council to purchase its interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

Date Decision Notice Produced:  
24 January 2023



Signed: Ross Whear

A handwritten signature in black ink, appearing to read 'R. Wh' with a long, sweeping horizontal stroke extending to the right.

Designation: Head of Planning and  
Economic Development



Hertsmere  
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Elstree Way, Borehamwood  
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## Planning and Economic Development

Mr and Mrs Charlie and Karen Frieze  
5 Grange Road  
Elstree  
Hertfordshire  
WD6 3LY

Your Ref:  
Our Ref: 22/1981/HSE  
Contact: Laura Gettliffe  
**Extension:** 020 8207 2277 ext. 5840  
Email: [laura.gettliffe@hertsmere.gov.uk](mailto:laura.gettliffe@hertsmere.gov.uk)  
Fax:  
Date: 24 January 2023

Dear Mr and Mrs Charlie and Karen Frieze

### **Town and Country Planning Act 1990 Town and Country Planning (Applications) Regulations 1988**

**Application Number: 22/1981/HSE**

**Site Location: 5 Grange Road, Elstree, Borehamwood, Hertfordshire, WD6 3LY,**

**Site Description: Construction of a part single, part two storey front extension, part single storey, part two storey rear extension, single storey side extension, and alterations to fenestration. Conversion of loft to habitable space with associated roof alterations to include and increase in ridge height, insertion of 2 x rear cabrio balconies and 4 x front roof lights. Associated landscaping works to allow for additional parking on existing driveway and new levelled garden patio to rear (Amended plans received 12.12.22 - solar panels added to roof and air conditioning units added to side elevation facing number 7).**

I would like to advise you that after consideration of all the relevant issues the council decided to Grant Permission on 24 January 2023.

The Decision Notice detailing the conditions/reasons attached to this decision have been forwarded to your agent.

An appeal against the local planning authority decision can be lodged with the Secretary of State for Communities and Local Government under section 78 of the Town and Country Planning Act 1990, within 12 weeks of the date of this notice. Unless the following notes are applicable:

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against your local planning authority's decision, then you must do so within 28 days of the date of this notice.

- If an enforcement notice is served relating to the same or substantially the same and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within; 28 days of the date of service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or submitted online at <https://www.gov.uk/planning-inspectorate>.

Yours sincerely

**Laura Gettliffe- Planning Officer**