

## THREE RIVERS DISTRICT COUNCIL

At a meeting of the **Planning Committee** held in the Penn Chamber, Three Rivers House, Northway, Rickmansworth, on Thursday 15 December 2016 from 7.31pm to 9.50pm.

Present: Councillors Chris Whately-Smith (Chairman), Diana Barber, Phil Brading, Marilyn Butler, Peter Getkahn, Alex Hayward, Stephen King, Chris Lloyd, David Major, Debbie Morris, Reena Ranger and Ann Shaw OBE.

Officers: Joanna Bowyer, Claire Westwood, Matthew Roberts, Helen Wailing.

Also in attendance: Councillors Angela Killick, Sarah Nelmes and Ralph Sangster and Parish Councillor Owen Roe.

About 160 members of the public.

### **PC79/16 MINUTES**

The Minutes of the Planning Committee meeting held on 17 November 2016 were confirmed as a correct record and were signed by the Chairman.

### **PC80/16 NOTICE OF OTHER BUSINESS**

There was none.

### **PC81/16 DECLARATIONS OF INTEREST**

Councillor David Major declared a registrable non-pecuniary interest in agenda items 9 and 12 as a Member of the Parish Council Planning Committee (as detailed under item 4 on the agenda) but would be entitled to stay and vote as he:

- has an open mind about the application
- is not bound by the views of the Parish Planning Committee and
- can deal with the application fairly and on its merits at Committee

Councillor David Major declared a registrable non-pecuniary interest in agenda item 13 as the applicant was Abbots Langley Parish Council, of which he was a councillor, and, in view of the potential conflict of interest, left the room during that item.

Councillor Marilyn Butler declared a non-registrable interest in agenda item 8, as she was a close friend of the neighbour of the applicant, and left the room during that item.

### **PC82/16 16/1523/FUL - Construction of a new secondary school incorporating construction of a two storey academic building; ancillary sports hall and facilities; playing fields and landscaping bund; together with new car parking areas; drop-off and related highway works including a new roundabout to facilitate access, at PROPOSED DEVELOPMENT SITE AT LONG LANE, MILL END, HERTFORDSHIRE, for The Reach Free School on behalf of the Education Funding Agency**

The Planning Officer confirmed they had received a total of 164 responses in relation to the amended plans. This included 23 objections and 141 in support. Of the support comments it was noted that 131 were on standard proformas.

The additional objections received largely reiterated the points set out in the committee report (paragraph 4.28). The additional objection points made were:

- More time should be allowed for reaching a decision.
- Unacceptable to have committee decision so close to Christmas.
- Querying how a decision can be made when Sport England have not commented on amended plans?
- Full details of the sports facilities should be provided with the application and people should be able to comment on them.
- TRDC should not have regard to standard proforma support comments.

In response:

- Sport England had been re-consulted, however, they were a non-statutory consultee and might choose not to make comments on the amended plans.
- There were suggested conditions regarding a community use agreement and details of playing pitches included within the recommendation.
- They were required to report all responses regardless of their format, however, for Members' information the Planning Officer had set out in this update how many support comments were of proforma format. The recommendation was based on the merits of the application and not on the number of comments received.

The additional support comments reiterated those points set out in the report (Paragraph 4.28.2).

Officers had also received comments from 'We are cycling UK' an independent charity championing the cause of cycling. They raised objections to the application but also suggested conditions if planning permission were to be granted.

In summary:

- A roundabout should not be provided, rather a 'T' junction arrangement.
- On site parking provision should be reduced to not overload junction.
- There should be funding contributions to mitigate the effects of off site parking.
- A footpath/cycleway should not be provided through the wildlife site.
- The cycleway should be built to appropriate standards.
- Query location of Toucan crossing.

The points raised were considered to have been addressed in the report.

Councillor Ann Shaw said the following:

- She thanked residents for their detailed correspondence.
- There was no doubt that a new secondary school was necessary. The Council had been overruled in regard to the site by Hertfordshire County Council and by the Government Inspector.
- There was no real understanding of the existing traffic pressures.
- There was no convincing evidence in regard to air pollution.
- There were no details of the sports facilities and the impact on neighbours.
- There had been some improvements, such as the re-siting of the roundabout, which had been very welcome. There were now better arrangements for haulage yard access.
- Why could a permanent entrance not be installed where the temporary entrance would be?
- If the Committee deferred a decision on the application, they ran the risk of losing the improvements gained so far.
- Would the hedges on the boundary remain?

In accordance with Council Procedure Rule 35 (B), Peter Loader (Cycling UK) and Tim Lynam spoke against the application, and Tim Byrne spoke in favour of the application.

The Chairman had agreed on this occasion that he would allow two speakers against the application, with the agreement of the applicant.

The Planning Officer said the following:

- The issue of flooding had been addressed – Hertfordshire County Council had reviewed the details and raised no objections. The Highways Officer had stated that the arrangements for the junction must include pressure jet cleaning.
- In regard to air pollution, Environmental Health had no objection.
- In regard to sports facilities, C22 and C23 required the submission of a community use agreement and details of sports pitches.
- In regard to trees and landscaping, the Landscape Officer had initially raised concerns. More information had now been provided. There were no objections but Conditions were suggested.
- In regard to temporary access, it was necessary to ensure that the transport infrastructure facilitated the future growth of the site.
- There was a level of control in regard to landscaping, as materials had to be submitted.
- The hedges on the boundary needed to be retained and supplemented. Condition C4 specifically included hedges.

Councillor Chris Whately-Smith asked if the pressure jet cleaning would continue after the first two years, and asked that a Condition be added to ensure that it continued. The Planning Officer said this would be part of general highways maintenance, but that Condition C14 could be updated to require this.

Councillor Sarah Nelmes spoke as the Ward Councillor for Penn and Mill End, and said the following:

- There was an urgent need for a school in the area.
- She understood residents' concerns and was very pleased with how receptive the developer had been to these.
- The change to the location of the roundabout was an improvement.
- With the improvements offered, there was a significant longer-term benefit, and she urged that the proposal should be accepted.

Councillor Ralph Sangster spoke as the County Councillor for the area and said the following:

- It had been a long journey to get a new location for the school, and compromises had been made on all sides.
- He wanted to ensure that there were exemplary facilities for the school and the community to share. There was a need to be bolder in regard to the sports facilities on the site, to have the best facilities possible.

In response to a query on community use and sports facilities, the Planning Officer said Sport England did have guidance notes in regard to construction of sports pitches etc. Condition C23 could be updated.

Councillor Ann Shaw said they needed to bear in mind the residents who would live adjacent to the sports facilities.

Councillor Chris Whately-Smith asked about the lighting of the internal sports facilities and said the right type of trees needed to be planted to help improve air quality. The Planning Officer said Condition C23 could be updated to include

details of lighting of internal sports halls. An informative could be added re: the type of planting.

Councillor Chris Lloyd said he was very pleased that the hedges would be kept on the boundaries but the Condition in regard to flooding needed to be strengthened as flooding on the road could have an impact on traffic and on children getting to school.

Councillor Reena Ranger referred to page 23 and the specifications for ground conditions and asked if an informative could address this. She referred to paragraph 4.6.3 of the report and asked if some of the activities which could not now be held outside due to restrictions on lighting, could be held indoors. The Planning Officer said in regard to the ground conditions, the guidance note from Sport England could be added as an informative.

The Planning Officer advised that no external lighting was proposed for the sports pitches. The use of the internal facilities would need to be in the community use agreement.

Councillor Peter Getkahn said he was very pleased to see a community use for the building. He referred to the figure on page 14 of the report, that up to 45% of the secondary school students could travel to and from the site by foot or by bike, and asked how the figure had been reached.

He said the road was already very busy all the time, and it was sad that Herts Highways had not put in an objection.

The design of the building was boxy and factory-like.

There should be an informative on lighting (e.g. that the lights went off by 10pm). He had real concerns about air quality where children would play, and asked if the air quality could be monitored in the future.

The Planning Officer said the figure of 45% was based on the expected catchment area, that pupils living within 2km could walk to school and those living within 5km could cycle to school. Condition C9 gave control over the hours the lights were used.

Councillor Debbie Morris said the proposed sports facilities were not bold enough to ensure a gold standard. The absence of outside lighting meant that the facility would not be compliant with Sport England standards. However it should be ensured that the remainder of the facility was compliant with Sport England standards. The current wording of the Condition used the word 'adequate,' and should be amended. The Planning Officer said the purpose of the Condition was to allow the level of detail to be submitted later in the process. Condition C23 could be reworded to include a requirement in regard to Sport England standards, and the use of the word 'adequate,' would be reviewed.

Councillor Chris Lloyd said if there was to be community use of the facility, the hall would need to be accessed without going through the school. There would also need to be adequate storage space for equipment.

Conditions (e.g. a maximum number of cars) needed to be put into the Travel Plan at this stage, as the reality was that sixth-form pupils would be driving to school, and they needed to ensure that neighbours were not blocked in their driveways by parked cars. The Planning Officer said they would look at the wording for Condition C18.

Members discussed the issue of sixth-form pupils driving to school and the following points were made:

- Councillor Phil Brading said either there should be a ban on sixth-form pupils driving to the school or that there would need to be some sort of residents' parking control in the whole of the area around the school.
- Councillor Reena Ranger said a blanket ban on sixth-form cars would not be suitable as older pupils might need to drop off younger siblings etc.
- Councillor Debbie Morris suggested car sharing could be introduced (e.g. minimum of three pupils in each car).
- Councillor Diana Barber asked if the provision of parking for sixth-form students was statutory, and if the number of parking spaces available could be reduced? The school could introduce a privilege system for sixth-form pupils.
- Councillor Barber asked if there was provision for accessible parking spaces?

The Planning Officer said the following:

- Banning pupils from driving might cause more parking problems outside the school. The Travel Plan requirements could be amended to address the issue of sixth-form cars.
- The adopted parking standards allowed for an uplift for pupils over 17 years old. The application exceeded the parking standards.
- Three accessible parking spaces were proposed, but this would be controlled as part of the Parking Management Plan.

Councillor Alex Hayward said that at school times every road in the District was very busy and that this was the nature of the place they lived. The Developer had done very well to accommodate what they could. The school was desperately needed and the Committee should go to a vote.

Councillor Chris Whately-Smith, seconded by Councillor Alex Hayward, moved the recommendation in the report, with the following amendments (the final wording to be circulated to Members of the Committee for agreement):

- Condition 14 to be amended in relation to drainage maintenance.
- Condition 18 to be amended to focus on reducing students driving to school.
- Condition 23 to be amended to include indoor sports provision (including access and storage facilities) and to refer to Sport England standards.
- Additional informatives in relation to Sport England guidance, and planting to mitigate air quality impacts.

On being put to the Committee the motion was declared CARRIED the voting being 11 For, 1 Abstention and 0 Against.

RESOLVED:

That Planning Permission is Granted subject to the following Conditions:

C1 Time Limit

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.

C2 Plan Numbers

The development hereby permitted shall be carried out in accordance with the following approved plans:

ADP-00-XX-DR A-0899 F  
ADP-00-XX-DR A-0900 N  
ADP-00-XX-DR A-0901 N  
ADP-00-00-DR A-1010 N  
ADP-00-00-DR A-1011 N  
ADP-00-02-DR A-1012 K  
ADP-00-ZZ-DR A-1200 H  
ADP-00-ZZ-DR A-1201 C  
ADP-00-XX-DR A-0400 E  
ADP-00-XX-DR A-0401 E  
ADP-00-ZZ-DR A-1202 C  
ADP-00-ZZ-DR A-1203 C  
ADP-00-ZZ-DR A-1300 E  
ADP-00-ZZ-DR A-1301 H  
ADP-00-ZZ-DR A-1305 C  
ADP-00-ZZ-M3 A-1663 C  
ADP-00-ZZ-M3 A-1664 C  
ADP-00-ZZ-M3 A-1666 B  
08-18-D1 (Existing Vegetation)  
08-18-D2 Rev A (Tree Protection)  
08-18-D3 Rev A (Planting Plan)  
08-18-D4 Rev A (Planting Schedule & Details)

Reason: For the avoidance of doubt, in the proper interests of planning and in accordance with Policies PSP2, CP1, CP8, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM2, DM3, DM4, DM6, DM7, DM8, DM9, DM10, DM12, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013) and Policy SA3 of the Site Allocations Local Development Document (adopted November 2014).

C3 Materials

Before any building operations above ground level hereby permitted are commenced, samples and details of the proposed external materials, including hard surfacing, shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

Reason: To prevent the building and external areas being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011).

C4 Landscaping & Tree Protection – Details

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 (where possible including G6, G5 and T24), together with a scheme detailing measures for their protection in the course of development.

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. 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.

All hard landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted. All soft landscaping works required by the approved scheme shall be carried out in accordance with a programme to be agreed before development commences and shall be maintained including the replacement of any trees or plants which die are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species, for a period for five years from the date of the approved scheme was completed.

Reason: This is a pre commencement condition in the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2 and DM6 of the Development Management Policies LDD (adopted July 2013).

C5 Landscape Management

Prior to occupation of the development hereby permitted, a landscape management plan, including long term design objectives, management responsibilities, timescales and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

Reason: To ensure that the approved landscaping is satisfactorily maintained, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2 and DM6 of the Development Management Policies LDD (adopted July 2013).

C6 Archaeology

No development shall take place/commence until a Written Scheme of Investigation for Archaeological Watching Brief on highway works in the south-east of the site, has been submitted to and approved by the Local Planning Authority. The scheme shall include an assessment of archaeological significance and research questions; and:

1. The programme and methodology of site investigation and recording as suggested by the archaeological evaluation;
2. The programme for post investigation assessment;
3. Provision to be made for analysis of the site investigation and recording;
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
5. Provision to be made for archive deposition of the analysis and records of the site investigation;

6. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

The development shall take place/commence in accordance with the programme of archaeological works set out in the approved Written Scheme of Investigation.

The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision made for analysis and publication where appropriate.

Reason: This condition is a pre commencement condition to define, in advance of any development commencing, the details of evaluation/mitigation necessary to protect any archaeological remains present within the development site. The significance of heritage assets with archaeological interest can be harmed/destroyed by development. This is in accordance with NPPF guidance, Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

C7 Construction Environmental Management Plan

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following.

- A) Risk assessment of potentially damaging construction activities.
- B) Identification of "biodiversity protection zones".
- C) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- D) The location and timings of sensitive works to avoid harm to biodiversity features.
- E) The times during construction when specialist ecologists need to be present on site to oversee works.
- F) Responsible persons and lines of communication.
- G) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- H) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be implemented throughout the construction period strictly in accordance with the approved details.

Reason: This condition is a pre commencement condition to ensure that any protected species are safeguarded and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C8 Habitat Management Plan

No development shall take place until a Habitat Management Plan (HMP) addressing the creation, management, and on-going



management of habitats has been submitted and approved in writing by the Local Planning Authority.

The HMP shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long term maintenance.
- i) Details of monitoring and remedial measures.
- j) Details for disposal of any wastes arising from the works.

The HMP shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: This condition is a pre commencement condition in the interest of habitat management and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

#### C9 Lighting

No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of the position, height, design, intensity and timing.

The submitted details should also include a 'lighting design strategy for biodiversity' that shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their foraging sites and resting places.

The lighting shall be installed in accordance with the approved details before the use commences and shall be maintained as such thereafter and shall not be operated other than within the agreed hours.

Reason: In the interests of visual and residential amenity and biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2, DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

C10 Piling

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To ensure that the proposed development does not impact on local underground sewerage utility infrastructure and to meet the requirements of Policies CP1 and CP8 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

C11 Sustainability

The development shall not be occupied until the energy saving and renewable energy measures detailed within the Energy Statement submitted as part of the application are incorporated into the approved development.

Reason: To ensure that the development meets the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM4 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

C12 Flood Risk Assessment

The proposed development should be implemented in accordance with the measures detailed in the flood risk assessment RAB reference 982B Rev 2.0 dated June 2016 submitted with this application to include:

1. Limiting the surface water run-off generated by the 1 in 100 year + climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
3. Implementing appropriate SuDS measures based upon infiltration.

Reason: To ensure that sufficient floodplain storage is provided to ensure no increase in off-site flood risk in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

C13 Drainage Strategy

No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro- geological context of the development has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year +

40% for climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

1. Detailed engineered drawings of proposed SuDS features.
2. Provision of a fully detailed drainage plan showing pipe diameters, pipe runs, outlet points and location of SuDS features and supporting calculations.
3. Detailed surface water run-off and volume calculations to ensure that the site has the capacity to accommodate all rainfall events up to 1:100 year plus climate change event.
4. Details of how the scheme shall be maintained and managed after completion.

Reason: This condition is a pre commencement condition to prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

#### C14 SuDS Maintenance

No development shall take place until details of the implementation, maintenance and management of the Sustainable Drainage Scheme approved in accordance with condition C13, and Highways Drainage Measures have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i. a timetable for its implementation, and
- ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: This is a pre-commencement condition to prevent pollution of the water environment and provide a sustainable system of water drainage and management to meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013).

#### C15 Boundary Treatments

Prior to occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected prior to occupation in accordance with the approved details and shall be permanently maintained as such thereafter.

Reason: To ensure that appropriate boundary treatments are proposed to safeguard the amenities of neighbouring properties and the character of the locality in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD (adopted July 2013).

C16 Car Park Management Plan

No part of the development hereby permitted shall be occupied until a Car Park Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in strict accordance with the approved details.

Reason: To ensure the appropriate operation of the car parking and drop-off areas and to meet the requirements of Policy CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C17 Access

The development shall not begin until details of the proposed access arrangements are submitted to and approved in writing by the Local Planning Authority. The approved details shall be constructed prior to the development being brought into use and permanently maintained thereafter.

Reason: This is a pre commencement condition in order to minimise danger, obstruction and inconvenience to users of the highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C18 Travel Plan

No part of the development hereby permitted shall be occupied prior to implementation of the Outline School Travel Plan. During the first year of occupation an approved Full Travel Plan based on the Outline School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority as part of the annual review. The Travel Plan shall include measures to particularly seek to reduce students driving or being driven to school.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment and to meet the requirements of Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

C19 Construction Management

The development shall not begin until full details of all proposed vehicle access, movements, parking arrangements and facilities for controlling dust and mud during the construction period have been submitted to and approved in writing by the Local Planning Authority. Details should be submitted in the form of a Construction Management Plan and the approved details should be implemented throughout the construction period.

Reason: This condition is a pre commencement condition in order to minimise danger, obstruction and inconvenience to users of the highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policies DM9 and DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C20 Delivery & Servicing Plan

No part of the development hereby permitted shall be occupied until an updated Delivery and Servicing Plan has been submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in strict accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policies DM10 and DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C21 Fire Hydrants

Should they be required, detailed proposals for fire hydrants serving the development as incorporated into the provision of the mains water services for the development, whether by means of existing water services or new mains or extension to or diversion of existing services or apparatus, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of development. The development shall thereafter be implemented in accordance with the approved details prior to occupation of any building forming part of the development.

Reason: To ensure that there is adequate capacity for fire hydrants to be provided and to meet the requirements of Policies CP1 and CP8 of the Core Strategy (adopted October 2011).

C22 Community Use Agreement

No part of the development hereby permitted shall be occupied until a community use management agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the Hall; Sports Hall; MUGA; playing fields; and associated changing facilities and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policy DM11 of the Development Management Policies LDD (adopted July 2013).

C23 Playing Field/MUGA Provision

The MUGA, Senior Football Pitch, Senior Rugby Union Pitch and Indoor Sports Hall shall be laid out in accordance with approved plans ADP-00-XX-DR A-0900 N and ADP-00-00-DR A-1010 N before first occupation of the educational establishment and shall be constructed in accordance with details which shall first be submitted for approval by the Local Planning Authority to ensure compliance with Sport England Standards (with the exception of external lighting). The submitted details should include details for access to and storage in the Indoor Sports Hall. The land/development shall thereafter be maintained in accordance with the approved details.

Reason: To ensure that the playing fields/MUGA are prepared to an adequate standard and are fit for purpose and to meet the requirements of Policy DM11 of the Development Management Policies LDD (adopted July 2013).

## Informatives

### I1 General Advice

With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by application form; the relevant form is available on the Council's website ([www.threerivers.gov.uk](http://www.threerivers.gov.uk)). Fees are £97 per request (or £28 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. The Council's Building Control section can be contacted on telephone number 01923 727132 or at the website above for more information and application forms.

Community Infrastructure Levy (CIL) - If your development is liable for CIL payments, it is a requirement under Regulation 67 (1) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Where possible, energy saving and water harvesting measures should be incorporated. Information on this is also available from the Council's Building Control section. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

### I2 Construction Hours

The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site

boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

13 Positive & Proactive

The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

14 Thames Water - Advice

There are public sewers crossing the site, therefore no building will be permitted within 3 metres of the sewers without Thames Water's approval. Should you require a building over application form or other information relating to your building/development work, please contact Thames Water on 08458502777.

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. They further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel.

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. The developer should demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).

15 HCC Highways - Advice

Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways

Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements.

Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

16 National Grid - Advice

Due to the presence of National Grid apparatus in proximity to the application site, the Applicant should contact National Grid before any works are carried out to ensure National Grid apparatus is not affected by any of the proposed works. Further 'Essential Guidance' can be found on the National Grid website at [www.nationalgrid.com](http://www.nationalgrid.com) or by contacting National Grid on 0800688588.

17 Secured By Design

The applicant is referred to the Design Guide for Schools at <http://www.securedbydesign.com/industry-advice-and-guides/>

18 Condition 23 Guidance

When preparing information to submit pursuant to condition 23 the applicant is referred to Sport England's guidance note "Natural Turf for Sport" (2011) which provides guidance on how new playing pitch sites can be planned, designed, managed and maintained to maximise their quality.

The document can be found at <http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/natural-turf-for-sport/>

The applicant is also referred to Sport England's guidance notes "Artificial Surfaces for Outdoor Sports" (2013) and "Sports Halls" (2012).

These documents can be found at <http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/artificial-sports-surfaces/> and <https://www.sportengland.org/media/4330/sports-halls-design-and-layouts-2012.pdf>

19 Condition 4 (Landscaping & Tree Protection) Guidance

Planting species should have regard to mitigating air quality impacts.

**PC83/16 16/2040/AOD – Approval of Details: Details pursuant to Condition 18 of hybrid planning permission 16/0005/FUL comprising layout, scale, appearance and landscaping for Phase 1B (Station Approach), at STATION APPROACH, SOUTH OXHEY, HERTFORDSHIRE for Countryside Properties PLC**

Councillor Phil Brading referred to Block Y, which was close to the housing on Prestwick Road, and said there was not much space at the back for waste disposal and access. Could the building use classes be restricted (e.g. no take-



aways)? The Planning Officer said Block Y was 3m from the boundary. In relation to the proposed storage, the applicant would need to communicate with the Environmental Protection Team. There was a Condition in regard to this and in regard to the boundary treatments.

In relation to building use, conditions meant that any extraction and ventilation equipment would need approval. Officers' view was that there was no need to add more conditions to specifically restrict uses although it would be possible to update Condition C3 to do this.

Councillor Debbie Morris asked why the short-stay parking places could not be designated as drop-off and pick-up points? It was very strange that provision had not been made for access by older people and young children.

In regard to the facilities at the station, the TfL guidelines were that the facilities should be well-lit, safe and secure.

Councillor Chris Lloyd referred to Watford Junction station, where the number of drop-off spaces had been reduced, and said drop-off spaces needed to be as close as possible to the station. People would park elsewhere otherwise and this would cause traffic problems. Stations needed to be accessible to all.

The Planning Officer said this was a reserved matters application. There was a condition on the hybrid permission in regard to car parking management, which required a strategy to be submitted and agreed in writing.

Members' comments had been noted and would be considered when an application was made to discharge the Condition.

Councillor Peter Getkahn suggested that a sign could be put on the main road to indicate if the car park was full.

Councillor Reena Ranger said the short-stay / drop-off bays should be nearer to the station (e.g. as at Moor Park Station). If people did not use sustainable transport, this needed to be taken into account. Designated spaces were needed for those using the shops as well as drop-off parking.

The Planning Officer said the developer aimed to make the station area more pedestrian-friendly.

Councillor Alex Hayward asked if loading bays could be used for drop-off. The Planning Officer said the conditions on the consent allowed details on deliveries but this could be taken into consideration.

Councillor Stephen King said that he was in favour of a minimum of 15 minutes waiting time in short stay bays as it could take at least 15 minutes to walk around to the station entrance. There were ample drop-off points currently but there would not be nearly enough under the proposed scheme.

In accordance with Council Procedure Rule 35 (B), Mr Daniel King spoke in favour of the application. Mr King had deferred his right to speak from the November 2016 meeting of the Planning Committee.

Councillor Debbie Morris noted that there was confusion over the use of the bays, as the applicant considered that the short-stay bays could be used by people visiting the shops.

The Planning Officer referred to page 82 of the report, where the Applicant's comments were in italics.

Councillor Marilyn Butler said people shopping and those being dropped off would not be adequately served by only three bays.

The Planning Officer referred to Condition C12, and said Phase 1b was part of the South Oxhey Initiative wider development. There would be a number of further parking spaces installed as part of the wider South Oxhey development.

Councillor Chris Lloyd referred to paragraph 7.5.5 of the report which set out the numbers of existing spaces, and paragraph 7.5.6 the proposed number of spaces in the development and said these figures suggested that the current 30 spaces would be reduced to five spaces. Councillor Chris Lloyd moved, seconded by Councillor Debbie Morris, that the decision be deferred, as the points previously raised by Members in regard to the use and number of the drop-off and short-stay bays had not been addressed.

Councillor Peter Getkahn referred to page 82 of the report, which stated the applicant's proposal that the public car park could be used as a drop-off point. He was very supportive of preserving the Station Square.

Councillor Phil Brading said he understood the desire for a station area which was more friendly to pedestrians, but he said that there was a danger of trying to 'squeeze a quart into a pint pot.' They did not have data about how much short-term parking and drop-off space was needed (e.g. at Watford Junction station there were more long-distance trains).

Councillor Chris Whately-Smith said his concern was about provision for drop-off, and this had not been addressed. There should be specific bays for drop-off, which were not also for short-stay use.

The Planning Officer said there had been a response to concerns previously raised by Members, and some changes had been made. The applicant considered that the proposal had adequate provision.

Councillor Diana Barber raised concern about the 15 minute walk to the station entrance from the drop-off point. The Chairman noted there would not be a change from the existing situation.

The Planning Officer said there was an existing short-term car park at the rear of the station. Condition C12 could be amended to require details in terms of bays, signage, use and nature of parking.

Councillor Debbie Morris said the Condition needed to ensure that there were at least three drop-off bays, and suggested that the existing three short-stay bays could be converted to drop-off bays if necessary.

Councillor Stephen King asked that Informative I2 be strengthened to ensure that construction deliveries were not made before 9am. The Planning Officer referred to Condition C28 and said that a Construction Management Plan was required for each phase of development, but that the comments could be taken on board.

On being put to the Committee the motion was declared CARRIED the voting being 8 For, 1 Against and 3 Abstentions.

RESOLVED:

That the decision on the application be deferred for further discussion over parking provision, and that the application be returned to a future Committee.

**PC84/16 16/2279/RSP – Part Retrospective: Erection of timber garage and hardstanding for vehicle access at LAND TO THE NORTH EAST OF WHITEGATES, NOTTINGHAM ROAD, HERONSGATE, HERTS, WD3 5DL for Mrs S Romano**

Councillor Marilyn Butler left the room for this item.

The Planning Officer reported the applicant had advised that the track within the site had not been laid with hardstanding but the surface prepared for the future deposit of hardcore.

Eleven additional neighbour objections had been received which raised the following additional comments:

- Gateway to a new dwelling in a few years' time
- Ignores distinctive Chartist character
- Mature trees felled
- Adversely affects our visual amenity
- Violation of many rules
- Land should be restored
- 

Councillor Ann Shaw said the following:

- She thanked the officer for the quick attendance at the site and for the report.
- Heronsgate was in the Green Belt and was a Conservation Area. It was a very important historic settlement, with large gardens and paddocks.
- There were no permitted development rights for this development and no grounds for Green Belt exemptions.
- The roads were private, and not owned by the County Council.
- The Landscape Officer had said that the preparation for the double garage and hardstanding was unacceptable.
- There would be an urbanising effect if the planning permission was granted.
- There were no special circumstances in place.

Councillor Ann Shaw moved, seconded by Councillor Chris Lloyd, that the decision be delegated to the Director of Community and Environmental Services to consider any representations received and that PLANNING PERMISSION BE REFUSED, as recommended in the report.

Councillor Angela Killick spoke as a Ward Councillor and said she strongly supported refusal. She said she knew the father of the applicant as he was a resident.

This raised a query about whether Councillor Killick had a conflict of interest. Having asked her in what capacity she knew the father of the applicant, and it having been established that she did not know him socially, the Chairman, with advice from the Committee Manager, agreed that she could continue.

Councillor Angela Killick said that the application was anachronistic and not in keeping with the historic community. She also referred to Paragraph 8.1.3 of the report and said that she would appreciate reassurance on whether the applicant had in fact ceased works and returned the land back to its former condition.

Councillor Ann Shaw asked that the officers ensure that all materials on the site be removed. The Planning Officer said he would ensure this.

On being put to the Committee the motion was declared CARRIED the voting being unanimous.

RESOLVED:

That the decision be delegated to the Director of Community and Environmental Services to consider any representations received and that PLANNING PERMISSION BE REFUSED for the following reasons:-

- R1: The proposed timber garage and hardstanding constitutes an inappropriate form of development in the Metropolitan Green Belt, which, by definition, is harmful. The harm to the openness of the Metropolitan Green Belt is further exacerbated by reason of the building's domestic appearance and inappropriate design and the extent of hardstanding which will combine to spread built form development across the site and facilitate uncharacteristic activities including increased vehicular traffic to and from Halifax Road. The development would also result in encroachment to the countryside, contrary to one of the purposes of the Green Belt. No very special circumstances have been identified which clearly outweigh the harm to the Green Belt. The proposed development therefore fails to comply with Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (adopted July 2013) and the NPPF.
- R2: The proposed timber garage and hardstanding would fail to have regard to the rural character and appearance of the site and wider Heronsgate Conservation Area by virtue of the siting and design of the timber building, the extent of the hardstanding area proposed and the impact on protected trees. The development proposal would therefore fail to preserve or enhance the character or appearance of the Heronsgate Conservation Area contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3 and DM6 of the Development Management Policies Document (adopted July 2013) and the Heronsgate Conservation Area Appraisal (2008).

Informatives

- I1 The Local Planning Authority has been positive and proactive in considering this planning application in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority encourages applicants to have pre-application discussions as advocated in paragraph 188 of the NPPF. The applicant did not have formal pre-application discussions with the Local Planning Authority and the proposed development fails to comply with the requirements of the Development Plan and does not maintain/improve the economic, social and environmental conditions of the District.

**PC85/16 16/2286/FUL – Demolition of no. 18 Gallows Hill Lane and construction of four detached dwellings on land to the rear with associated access, landscaping, parking and alterations to existing access at 18 GALLOWS HILL LANE, ABBOTS LANGLEY, WD5 0DA for Thorne Barton Estates Ltd**

The Planning Officer reported that outline consent had been granted under planning application 16/2285/OUT as referred to at paragraph 1.2 on page 122 of the agenda.

The Landscape Officer had raised no objection to the development subject to the inclusion of a number of conditions on any permission granted.

Of the recommended conditions, a hard and soft landscaping scheme and tree protection scheme were already included within the recommendation as conditions C4 and C5 respectively; page 141 of the agenda.

Based on the Landscape Officer's comments, the inclusion of two further conditions was recommended, requiring the submission of a landscape management plan and arboricultural method statement.

The Council's Environmental Protection Officer had advised that the access would be suitable for the proposed dwellings to be serviced by waste providers, although parking of vehicles on the access might cause an obstruction. It was therefore recommended that Condition C6 on page 141 was updated to include management of the access to prevent parking of vehicles on the road.

Two additional neighbour objections had been received which raised the following additional comments:

- Access for disabled people and those with pushchairs etc. had been overlooked.
- The site area was smaller than shown on the plans.
- The long access drive was significantly longer than those the application claimed it was comparable too.
- The submitted Design and Access Statement did not describe the true planning history.
- Site provided significant public and residential amenity value.

In accordance with Council Procedure Rule 35 (B), Mr George Johnson spoke against the application.

Councillor Reena Ranger asked, if planning permission was granted and the applicant changed their plans, would this automatically come to Committee? The Planning Officer said it would need to go through the normal procedures.

Councillor Debbie Morris asked about Permitted Development Rights. The Planning Officer confirmed these would be removed by Condition C12 [as proposed in the officer report, updated to Condition C13 of the decision as issued].

Councillor Peter Getkahn asked if they could restrict the area being turned into a gated development. The Planning Officer said the permitted development rights Condition could be amended to include restrictions on means of enclosure.

Councillor Alex Hayward said that she had experience of an applicant signing the Certificate A for land which they did not own. The Planning Officer said if there was an issue re: land ownership, legal advice would need to be taken.

Councillor Chris Whately-Smith moved, seconded by Councillor Phil Brading, the recommendation in the report, subject to the changes recommended by the Planning Officer and requested by the Committee, in regard to the requirement for an arboricultural impact assessment, management of access to prevent parking and removal of permitted development for means of enclosure.

On being put to the Committee the motion was declared CARRIED the voting

being 6 For, 1 Against and 5 Abstentions.

RESOLVED:

That PLANNING PERMISSION BE GRANTED subject to the following conditions: -

C1 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.

C2 The development hereby permitted shall be carried out in accordance with the following approved plans: TRDC001 (Location Plan), TRDC002 (Block Plan), 100 Rev. A, 101, L90-200 Rev. D and 8279/02 Rev. A.

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the locality and residential amenity of neighbouring occupiers, in accordance with Policies PSP2, CP1, CP2, CP3, CP4, CP8, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM4, DM6, DM8, DM10 and DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and Policy SA1 of the Site Allocations LDD (adopted November 2014).

C3 The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and facilities for mud and dust control have been submitted to and approved in writing by the Local Planning Authority. The relevant details shall be submitted in the form of a Construction Management Plan and the approved details shall be implemented throughout the construction programme.

Reason: This is a pre-commencement condition in order to minimise danger, obstruction and inconvenience to users of the in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C4 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.

All hard and soft landscaping works required by the approved scheme shall be carried out completed prior to the first occupation of the development hereby permitted and the soft landscaping shall be maintained, including the replacement of any trees or plants which die are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species, for a period for five years from the date of the approved scheme was completed.

Reason: This is a pre-commencement condition to protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C5 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. 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: This is a pre-commencement condition to protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C6 Prior to commencement of the development hereby permitted, a plan clearly defining the residential curtilages of each dwelling shall be submitted to and approved in writing by the Local Planning Authority. For any land not included within the residential curtilages, a management plan (including long term design objectives, management responsibilities, parking management, timescales and maintenance schedules for all landscape and access areas) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved. The development shall be carried out in accordance with the approved details and the management plan shall be carried out as approved thereafter.

Reason: This is a pre-commencement condition to ensure that the land is satisfactorily managed and maintained, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and DM6 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C7 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 timetables of works, method of demolition, 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.

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.

Reason: This is a pre-commencement condition to protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C8 Before any building operations above ground level 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.

Reason: To prevent the buildings being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C9 Vehicular access into and out from the adjoining highway shall be limited to the access shown on drawing no. L90-200 only and any other accesses or egresses shall be permanently closed, and the footway/highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority prior to bringing into use the new access.

Reason: In the interests of highway safety and convenience in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

- C10 Prior to the first occupation of the dwellings hereby approved a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected in accordance with the approved details prior to first occupation of the dwellings hereby approved.

Reason: To safeguard the visual amenities of neighbouring properties and the character of the locality in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C11 Prior to the first occupation of the dwellings hereby permitted full details of the proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided in accordance with the approved details prior to first occupation of the dwellings and maintained in such condition thereafter.



Reason: To ensure that the amenities of the adjoining residential properties shall not be adversely disturbed in compliance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

- C12 Should they be required, detailed proposals for fire hydrants serving the development as incorporated into the provision of the mains water services for the development, whether by means of existing water services or new mains or extension to or diversion of existing services or apparatus, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of development. The development shall thereafter be implemented in accordance with the approved details prior to occupation of any building forming part of the development.

Reason: To ensure that there is adequate capacity for fire hydrants to be provided and to meet the requirements of Policies CP1 and CP8 of the Core Strategy (adopted October 2011).

- C13 Immediately following the implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification) no development within the following Classes of Schedule 2 of the Order shall take place.

Part 1

Class A – enlargement, improvement or other alteration to the dwelling  
Class B – addition or alteration to the roof  
Class C – any other alteration to the roof  
Class E – buildings incidental to the enjoyment of a dwellinghouse

Part 2

Class A - gates, fences, walls etc.

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

Reason: To ensure adequate planning control over further development having regard to the limitations of the site and neighbouring properties and in the interests of the visual amenities of the site and the area in general, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C14 The development shall not be occupied until the energy saving measures detailed within the submitted C-Plan assessment are incorporated into the approved dwellings and permanently maintained thereafter.

Reason: To ensure that the development meets the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM4 of the Development Management Policies LDD (adopted July

2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

- C15 Before the first occupation of Plots 2, 3 and 4 hereby permitted the window(s) in the flank elevations of these dwellings shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

Reason: To safeguard the amenities of the occupiers of neighbouring residential properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C16 The development hereby permitted shall be carried out in accordance with the Ecology Report prepared by Aspect Ecology and dated December 2014 and maintained as such.

Reason: To ensure that any protected species are safeguarded and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

#### Informatives

- I1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £97 per request (or £28 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. The Council's Building Control section can be contacted on telephone number 01923 727132 or at the website above for more information and application forms.

Community Infrastructure Levy (CIL) - If your development is liable for CIL payments, it is a requirement under Regulation 67 (1) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Where possible, energy saving and water harvesting measures should be incorporated. Information on this is also available from the Council's Building Control section. Any external changes to the building which may be subsequently required should be discussed with the Council's

Development Management Section prior to the commencement of work.

- 12 The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the District.
- 14 Bats are protected under domestic and European legislation where, in summary, it is an offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in a roost or deliberately disturb a bat in a way that would impair its ability to survive, breed or rear young, hibernate or migrate, or significantly affect its local distribution or abundance; damage or destroy a bat roost; possess or advertise/sell/exchange a bat; and intentionally or recklessly obstruct access to a bat roost.

If bats are found all works must stop immediately and advice sought as to how to proceed from either of the following organisations:

The UK Bat Helpline: 0845 1300 228

Natural England: 0845 6014523

Herts & Middlesex Bat Group: [www.hmbg.org.uk](http://www.hmbg.org.uk)

(As an alternative to proceeding with caution, the applicant may wish to commission an ecological consultant before works start to determine whether or not bats are present. A list of bat consultants can be obtained from Hertfordshire Ecology on 01992 555220).

- 15 It is the responsibility of a developer to make provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
- 16 The applicant is advised that a license must be obtained from the Highway Authority before any works are carried out on any land forming part of the highway. Prior to commencement of any works the applicant is advised to contact the County Council Highways via either the website <http://www.hertsdirect.org/services/transtreets/highways/> or telephone 0300 1234047 to enter into the necessary agreement with the Highway Authority to enable works in the highway to proceed.

- 17 The applicant is advised that the Hertfordshire Constabulary Crime Prevention Design Advisor has commented that the development should be designed and constructed to Secured By Design standards.

**PC86/16 16/2304/FUL - Demolition of existing Scout hut and construction of single storey building to be used for vehicle repair and sales with associated landscaping and boundary treatments at FAYER HALL SCOUT HUT, OXHEY DRIVE, SOUTH OXHEY, WATFORD, WD19 7SE for Major Works Team Three Rivers District Council**

The Planning Officer reported that one additional neighbour comment had been received, objecting on grounds of parking, advising that existing parking in the area already blocked driveways and would be worse, and that the safety of people crossing the road should be considered.

Planning Policy had commented on the application advising that the application was considered an improvement to the facilities provided on the site and was in accordance with the regeneration strategy for South Oxhey. It was therefore supported in principle.

There was an error in condition 4 at page 158. This should refer to hours between 08.00 and 18.30 Mondays to Saturdays and between 10.00 and 16.00 on Sundays.

It was also proposed that condition 8 on page 159 should be amended to require that no development commenced until a phasing plan to demonstrate satisfactory alternative provision of replacement scout hut facilities had been submitted and agreed, and that development was carried out in accordance with this plan.

In accordance with Council Procedure Rule 35 (B), Ms Cheryl Walsh spoke against the item, and Mr Adrian Barker spoke in favour of the application.

Councillor Debbie Morris asked about the current operating hours of the vehicle business, stating that the proposal was to increase Saturday opening hours and trading on a Sunday. This would cause parking issues and noise disturbance for neighbours. She also asked if a condition could be imposed that there be some greenery on the boundaries.

The Planning Officer said that there were no planning restrictions on hours at the current site. Condition C4 would restrict the hours of trading.

In terms of the boundary, the current proposal was for a dwarf wall with planting behind. This was in the Condition.

Councillor Alex Hayward queried the proposal that there be two parking spaces for staff of the vehicle business (paragraph 3.5), as there would be more than two staff members. Page 149 seemed to describe a very different provision. The Planning Officer said the proposal was for two designated staff parking spaces with three further general parking spaces. Page 149 contained comments from Highways, and they had made an error in the description of the provision.

Councillor Stephen King said his main concern was the school crossing, that traffic was a very bad in the mornings and that he would like to see an alternative site for this development. He said the proposed building would not be high enough to incorporate a vehicle on a lift. The Planning Officer said the plans as submitted were for consideration.

Councillor Ann Shaw, seconded by Chris Whately-Smith, moved the recommendation in the report, with the amendment to Conditions C4 in regard

to trading hours and C8 in regard to phasing.

On being put to the Committee the motion was declared CARRIED the voting being 7 For, 2 Against and 3 Abstentions.

RESOLVED:

That subject to no new material considerations being raised, PLANNING PERMISSION BE GRANTED subject to the following conditions:-

- C1 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.

- C2 The development hereby permitted shall be carried out in accordance with the following approved plans:  
3619A/2J, 3619B Rev B, 3619B/3D and TRDC001 (Location Plan)

Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies PSP2, CP1, CP2, CP3, CP6, CP8, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM4, DM6, DM8, DM9, DM10, DM12, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013), and Policies SA1 and SA6 of the Site Allocations LDD (adopted November 2014).

- C3 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.

Reason: To ensure that the external appearance of the development is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011).

- C4 The use hereby permitted shall not operate other than between the hours of 08:00-18:30 Mondays to Saturday (inclusive) and 10:00-16:00 on Sundays.

Reason: To safeguard the residential amenities of the occupiers of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

- C5 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.

All hard landscaping works required by the approved scheme shall be

carried out and completed prior to the first occupation of the development hereby permitted. All soft landscaping works required by the approved scheme shall be carried out in accordance with a programme to be agreed before development commences and shall be maintained including the replacement of any trees or plants which die are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species, for a period for five years from the date of the approved scheme was completed.

Reason: This condition is a pre commencement condition in the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C6 The development shall not be occupied until details including the siting, size and appearance of refuse and recycling facilities on the premises have been submitted to and approved in writing. The development shall not be occupied until the approved scheme has been implemented and these facilities should be retained permanently thereafter.

Reason: To ensure that satisfactory provision is made, in the interests of amenity and to ensure that the visual appearance of such provision is satisfactory in compliance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM10 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C7 No development shall commence until an Energy Statement demonstrating energy saving measures for the development to produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability in accordance with Policy DM4 of the Development Management Policies LDD (adopted July 2013) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the development and permanently maintained thereafter.

Reason: This condition is a pre commencement condition in order to ensure that the development will meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM4 of the Development Management Policies LDD (adopted July 2013) and to make as full a contribution to sustainable development principles as possible.

- C8 The development hereby permitted shall not be commenced until a phasing plan to address replacement scout hut facilities has been submitted to and approved in writing by the Local Planning Authority. The plan should ensure that the replacement Scout Hut proposed under planning application reference 16/2305/FUL at Public Tennis Courts, Green Lane, Oxhey Hall is implemented and available for use within 9 months of the implementation of this permission and should include details of measures to provide temporary interim provision to ensure appropriate continuity of use. The development shall be carried out in accordance with the approved plan.

Reason: This condition is a pre commencement condition to ensure satisfactory provision in accordance with the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM12 of the Development Management Policies LDD (adopted July

2013) and Policy SA6 of the Site Allocations LDD (adopted November 2014).

- C9 The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements, storage of construction materials, dust control and wheel washing facilities proposed during the construction period have been submitted to and approved in writing by the Local Planning Authority. Details should be submitted in the form of a Construction Management Plan and the approved Construction Management Plan shall be adhered to throughout the construction period.

Reason: This is a pre commencement condition in order to minimise danger, obstruction and inconvenience to users of the highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

- C10 Prior to occupation of the use hereby permitted, the proposed on-site car and cycle parking, servicing and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the submitted drawing 3619A/2J and shall be permanently retained as such thereafter for that specific use.

Reason: To ensure adequate provision for parking and to minimise danger, obstruction and inconvenience to users of the highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

Informatives:

- I1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £97 per request (or £28 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. The Council's Building Control section can be contacted on telephone number 01923 727132 or at the website above for more information and application forms.

Community Infrastructure Levy (CIL) - If your development is liable for CIL payments, it is a requirement under Regulation 67 (1) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Where possible, energy saving and water harvesting measures should be incorporated. Information on this is also available from the Council's

Building Control section. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

12 The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

13 The applicant is advised that works should proceed with caution following the advice provided by Artemis Ecological Consulting Ltd (October 2016).

Bats are protected under domestic and European legislation where, in summary, it is an offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in a roost or deliberately disturb a bat in a way that would impair its ability to survive, breed or rear young, hibernate or migrate, or significantly affect its local distribution or abundance; damage or destroy a bat roost; possess or advertise/sell/exchange a bat; and intentionally or recklessly obstruct access to a bat roost.

If bats are found all works must stop immediately and advice sought as to how to proceed from either of the following organisations:

The UK Bat Helpline: 0845 1300 228

Natural England: 0845 6014523

Herts & Middlesex Bat Group: [www.hmbg.org.uk](http://www.hmbg.org.uk)

(As an alternative to proceeding with caution, the applicant may wish to commission an ecological consultant before works start to determine whether or not bats are present. A list of bat consultants can be obtained from Hertfordshire Ecology on 01992 555220).

Under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage, or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

14 The applicant is advised that in accordance with the Highway Act 1980 best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in condition such as not to emit dust or deposit mud, slurry or other debris on the highway. This is to minimise the impact of construction vehicles and to improve the amenity of the local area.

15 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure)



(England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the District.

**PC87/16 16/2305/FUL - Construction of single storey Scout hut and alterations to landscaping at PUBLIC TENNIS COURTS, GREEN LANE, OXHEY HALL for Major Works Team Three Rivers District Council**

The Planning Officer reported that Hertfordshire Highways had initially raised an objection to the application owing to concern that adequate information had not been provided to demonstrate that the development would not result in traffic conflicts at the junction of Green Lane and Prestwick Road. However, the applicant had provided a further transport statement and the Highways Officer had reviewed this and confirmed there would no longer be an objection to the proposal.

Comments had been received from planning policy who had not raised an objection but who had noted that the development would be inappropriate in the Green Belt and that very special circumstances would therefore be required.

The Conservation Officer had no objection to the proposal which would not affect the setting of the Oxhey Hall Conservation Area.

With regard to access to building, there was a gated access to South Oxhey Playing Fields between the Pavilion and adjacent changing rooms which was used by Grounds Maintenance team, and the applicant had advised that the use of this access could be extended to the Scout group leader for transfer of equipment in and out of the site. A condition in the lease agreement would limit vehicular access to delivery and collection of equipment and prohibit use of the access for other purposes. It would also be appropriate to include a condition on any consent to manage access, and an additional condition was therefore suggested.

Councillor Debbie Morris referred to Paragraph 3.6 of the report and asked that the provision of bicycle parking be increased as five spaces would not be adequate for 72 Scout Members. The Planning Officer said a further condition could be added.

Councillor Ann Shaw, seconded by Councillor Chris Whately-Smith, moved the recommendation in the report, with the above amendment.

On being put to the Committee the motion was declared CARRIED, the voting being unanimous.

RESOLVED:

That subject to no new material considerations being raised, PLANNING PERMISSION BE GRANTED subject to the following conditions:-

- C1 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.

- C2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies PSP2, PSP3, CP1, CP8, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM2, DM6, DM8, DM9, DM10, DM11, DM12, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013), and Policies SA1 and SA6 of the Site Allocations LDD (adopted November 2014).

- C3 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.

Reason: This is a pre commencement condition to ensure that the external appearance of the development is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), and Policy DM2 of the Development Management Policies LDD (adopted July 2013).

- C4 Prior to occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected prior to occupation in accordance with the approved details and shall be permanently maintained as such thereafter.

Reason: To ensure that appropriate boundary treatments are proposed to safeguard the openness of the Green Belt, the character of the locality and in the interests of safety and security in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD (adopted July 2013).

- C5 The use hereby permitted shall not operate other than between the hours of 09:00-22:00 Mondays to Saturdays (inclusive) and 10:00-22:00 Sundays.

Reason: To safeguard the residential amenities of the occupiers of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

- C6 The use hereby permitted shall be carried on only by the 14<sup>th</sup> Bushey and Oxhey Scout Group. Should the premises cease to be occupied by the 14<sup>th</sup> Bushey and Oxhey Scout Group, the use hereby permitted shall cease and all structures brought on to or erected on the land, or works undertaken to it in connection with the use, shall be removed and the land shall be restored in accordance with a scheme that has first been submitted to and agreed in writing by the Local Planning Authority.

Reason: In granting this permission the Local Planning Authority has had regard to the special circumstances of the case. The personal nature of the planning permission allows the Local Planning Authority an opportunity to assess the effect of the use hereby permitted on the Green Belt in accordance with the requirements of Policies CP1, CP11

and CP12 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD (adopted July 2013).

- C7 No operations shall commence on site until details of the position, height, design and intensity of lighting to the access to the site from the car park to the north east of the site have been submitted to an approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details before the use commences and shall be permanently maintained as such thereafter.

Reason: This is a pre commencement condition in the interests of visual amenity and biodiversity and to meet the requirements of Policies CP1, CP9, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2, DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

- C8 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: This is a pre commencement condition to protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted July 2013) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C9 The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements, dust control and wheel washing facilities proposed during the construction period have been submitted to and approved in writing by the Local Planning Authority. Details should be submitted in the form of a Construction Management Plan and the approved Construction Management Plan shall be adhered to throughout the construction period.

Reason: This is a pre commencement condition in order to minimise danger, obstruction and inconvenience to users of the highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

- C10 No development shall take place until details of vehicular access to the site and measures to manage use of this access which must be limited to delivery and collection of equipment to the site only and not for any other purposes have been submitted to and approved in writing by the Local Planning Authority. The access shall only be used in accordance with the approved details.

Reason: In the interests of safety and convenience in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

- C11 Prior to occupation of the development hereby permitted, details of provision for the secure storage of bicycles shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided prior to occupation of the building(s), in accordance with the approved details and shall be permanently retained as such thereafter.

Reason: To ensure that secure bicycle storage facilities are provided to encourage use of sustainable modes of travel in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

Informatives:

- I1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £97 per request (or £28 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. The Council's Building Control section can be contacted on telephone number 01923 727132 or at the website above for more information and application forms.

Community Infrastructure Levy (CIL) - If your development is liable for CIL payments, it is a requirement under Regulation 67 (1) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Where possible, energy saving and water harvesting measures should be incorporated. Information on this is also available from the Council's Building Control section. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- I2 The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site

boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

- I3 The applicant is advised that the Hertfordshire Constabulary Crime Prevention Design Advisor has advised the following with regard to the detailed design and operation of the facility:
- There should be planting against the exterior of the building to help defend the building against graffiti.
  - All doors and windows should have external metal shutters on them so these are secure against damage and help secure the building when unoccupied. If external metal shutters are deemed unsuitable then the external doors and windows should be to a minimum level of BS PAS 24-2012 with laminate glass as one of the panes of double glazing, and internal shutters fitted.
  - A monitored alarm should be fitted.
  - There should be no informal climbing points nearby to aid youths being able to climb onto the roof and cause damage.
  - Any outside bins must be secured away from the building so if set on fire, they do not cause damage or set fire to the building, nor do they become informal climbing points if placed next to the building.
  - Any guttering down pipes should be square so they fit against the building and cannot be used to assist people trying to climb up onto the roof.
- I4 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the District.

**PC88/16 16/2208/FUL – Two storey side extension, single storey rear extension and erection of front porch at 2 THE FAIRWAY, ABBOTS LANGLEY, HERTFORDSHIRE, WD5 0JT for Mr and Mrs D Woolner.**

Councillor Chris Whately-Smith, seconded by Councillor Debbie Morris, moved the recommendation in the report.

On being put to the Committee the motion was declared CARRIED the voting being unanimous.

RESOLVED:

That PLANNING PERMISSION BE GRANTED subject to the following conditions:

C1 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.

C2 The development hereby permitted shall be carried out in accordance with the following approved plans: 1C and 3D

Reason: For the avoidance of doubt, in the proper interests of planning and in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy

(adopted October 2011) and Policies DM1, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

C3 Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

Reason: To ensure that the external appearance of the building is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C4 Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the elevations or roof slopes of the extensions hereby approved.

Reason: To safeguard the residential amenities of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

#### Informatives

I1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £97 per request (or £28 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. The Council's Building Control section can be contacted on telephone number 01923 727132 or at the website above for more information and application forms.

Community Infrastructure Levy (CIL) - If your development is liable for CIL payments, it is a requirement under Regulation 67 (1) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Where possible, energy saving and water harvesting measures should be incorporated. Information on this is also available from the Council's Building Control section. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

12 The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

14 Bats are protected under domestic and European legislation where, in summary, it is an offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in a roost or deliberately disturb a bat in a way that would impair its ability to survive, breed or rear young, hibernate or migrate, or significantly affect its local distribution or abundance; damage or destroy a bat roost; possess or advertise/sell/exchange a bat; and intentionally or recklessly obstruct access to a bat roost.

If bats are found all works must stop immediately and advice sought as to how to proceed from either of the following organisations:

The UK Bat Helpline: 0845 1300 228

Natural England: 0845 6014523

Herts & Middlesex Bat Group: [www.hmbg.org.uk](http://www.hmbg.org.uk)

(As an alternative to proceeding with caution, the applicant may wish to commission an ecological consultant before works start to determine whether or not bats are present. A list of bat consultants can be obtained from Hertfordshire Ecology on 01992 555220).

15 The applicant is advised that the requirements of the Party Wall Act 1996 may need to be satisfied before development commences.

**PC89/16 16/2444/FUL - Replacement play equipment and associated alterations including to landscaping and boundary with change from three separate areas to one at MANOR HOUSE RECREATION GROUND, GALLOWES HILL LANE, ABBOTS LANGLEY, HERTFORDSHIRE for Abbots Langley Parish Council**

Councillor David Major left the room for this item.

The Planning Officer reported that one neighbour comment had been received advising that the proposal appeared a great improvement on the existing provision. However concern had been raised that there was only one gated entrance between the play area and park due to dog walkers letting their dogs off the lead. Bins within the play area should be emptied regularly, and querying whether the space taken up by aerial runways was justified and whether the existing runway within the park would remain.

In response, the playground would be managed by the Parish Council grounds team who had been advised of the comments. The leisure team had confirmed that the aerial runway was selected on the basis of the consultation carried out.

The agent had provided a construction site setup plan, a method statement and details of tree protection measures during construction, and had advised that the trees within the site were to be removed under a separate project.

The Landscape Officer had reviewed these, however they are not supported by an Arboricultural report and as such the Landscape Officer advised that the conditions as initially requested and recommended within the report would still be required.

Councillor Ann Shaw, seconded by Councillor Chris Whately-Smith, moved the recommendation in the report.

On being put to the Committee the motion was declared CARRIED the voting being unanimous.

RESOLVED:

That the decision be delegated to the Director of Community and Environmental Services to consider any representations received and that PLANNING PERMISSION BE GRANTED, subject to the following conditions:-

C1 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.

C2 The development hereby permitted shall be carried out in accordance with the following approved plans and details:  
1003 S2 Rev PL1, 2001 S2 Rev PL1, TRDC001 (Proposed Plan), TRDC002 (CPCL Product Pages) and TRDC003 (Location Plan)

Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies PSP2, CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM3, DM6, DM11, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013), and Policy SA5 of the Site Allocations LDD (adopted November 2014).

C3 The development shall not begin until full details of all proposed construction vehicle access, movements and parking arrangements, have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan and the approved details shall be implemented throughout the construction programme.

Reason: This is a pre commencement condition to minimise danger, obstruction and inconvenience to users of the highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C4 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 (2010) 'Recommendations for 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 (1<sup>st</sup> October to 31<sup>st</sup> March) following their loss or removal.

Reason: The existing trees/hedgerows/shrubs represent an important public visual amenity in the area and should be protected in accordance with the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C5 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 plans and particulars shall be prepared in accordance with BS: 5837 (2012) 'Trees in relation to design, demolition and construction'

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: This is a pre commencement condition to protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C6 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 timetables of works, method of demolition, 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.

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: This is a pre commencement condition to protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

#### INFORMATIVES:

- I1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £97 per request (or £28 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. The Council's Building Control section can be contacted on telephone number 01923 727132 or at the website above for more information and application forms.

Community Infrastructure Levy (CIL) - If your development is liable for CIL payments, it is a requirement under Regulation 67 (1) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Where possible, energy saving and water harvesting measures should be incorporated. Information on this is also available from the Council's Building Control section. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- I2 The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- I3 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the

economic, social and environmental conditions of the District.

CHAIRMAN