

## PLANNING COMMITTEE - 17 OCTOBER 2019

### PART I – DELEGATED

- 8. 19/1557/FUL: Demolition of existing two storey office building, two storey stacked portable cabins, and existing single storey sheds and stores, and the construction of a replacement two storey office building to east of site. Alterations to car and lorry parking, at BATCHWORTH DEPOT, HAREFIELD ROAD, RICKMANSWORTH, WD3 1LU**

Parish: Batchworth Community Council  
Expiry of Statutory Period: 10 October 2019  
Extension agreed to 24 October 2019

Ward: Rickmansworth Town  
Case Officer: Adam Ralton

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: The applicant is Three Rivers District Council.

#### **1 Relevant Planning History**

- 1.1 06/2134/FUL: Re-open an old gateway to make new vehicular access with new gates. Approved February 2007.

#### **2 Description of Application Site**

- 2.1 The application site is accessed via two vehicular access points on the northern side of Harefield Road, Rickmansworth. It is located between part of the car park serving a Tesco store to the west, and a row of terraced dwellings to the east. The northern boundary of the site is marked by the Grand Union Canal, with a number of canal boat moorings present adjacent to this northern boundary. The southern boundary is Harefield Road and is marked by fencing and a row of mature trees (primarily Hornbeam, Birch, Horse Chestnut and Lime).
- 2.2 The site contains a number of buildings. To the west is a two storey office building, clad in corrugated metal and with a shallow pitched roof. To the immediate north and south of the building is a large expanse of hardstanding used for parking refuse and other operational vehicles. There are also a number of small sheds and stores to the side and rear of this office building. The hardstanding to the east of this office building is part of the main vehicular route through the site.
- 2.3 Beyond this, to the northern part of the site is land owned and operated by Thames Water. This falls outside of the application site, and contains a single building and a number of trees. To the south of this is a large metal clad workshop building, used for vehicle repair and maintenance. To the east of this building are two stacked porta-cabins providing further office accommodation. The hardstanding to the north and east of this is generally available for staff car parking.
- 2.4 The north and western part of the site is within Flood Zone 2 and 3. The site is opposite a pair of Grade II Listed Buildings (21 and 25 Harefield Road).

#### **3 Description of Proposed Development**

- 3.1 This application proposes the demolition of the majority of existing buildings on the site (including the existing two storey office building, the stacked porta cabins, the additional stores located around the site's perimeter and the outside of the existing office building) and the construction of a replacement office building to the east of the site and immediately east of the existing (and retained) workshop building. Alterations are also proposed to the location of the car and operational vehicle parking areas and to other hard and soft landscaping within the site.

- 3.2 The proposed replacement office building would measure approximately 17.7 metres in width by 14.2 metres in depth. It would include an external spiral staircase to the eastern side which would project an additional 3m to the side. The proposed building would be located between 7.3 and 11.4 metres back from the front boundary of the site with Harefield Road. The building would be approximately 6 metres high overall, with the front entrance core having a total height of 7 metres. The submitted drawings also indicate the presence of raised solar panels on the roof. The application form states that the proposed building would be clad in vertical timber cladding, with a large glazed entrance core and windows on all facades.
- 3.3 The proposed building would provide office facilities including meeting areas, WCs, kitchen, storage and desk space. The nature of the use of the site and the office is not proposed to be materially changed from the existing. The application site accommodates the Council's Environmental Protection service, which includes the Waste Management and Grounds Maintenance teams. The site is used for storage of refuse collection vehicles
- 3.4 To the immediate front of the building would be a space with benches and tables for staff. A 1.8m high fence would enclose this area, but would be set back between 3 and 4 metres from the footway, with a 0.6m fence proposed alongside the footway. The area between the fences would be grass, and would include the existing trees along the front boundary.
- 3.5 To the rear of the proposed office building would be 32 car parking spaces (including 3 allocated disabled spaces), with cycle parking provided to the east of the site entrance.
- 3.6 To the west of the site, in the location of the existing office building, parking would be provided for operational vehicles (including 26ton refuse collection vehicles, and smaller 18ton, 7.5ton and 3.5ton vehicles.
- 3.7 The application has been accompanied by an Arboricultural Impact Assessment, Design and Access Statement, Preliminary Ecological Appraisal Survey, Energy Statement, Flood Risk Assessment and Land Contamination Assessment.
- 3.8 During the course of the application, amended plans were received from the application repositioning the building approximately 1.5 metres to the east and repositioning the fence to the west of the building which separates the operational depot from the Plantec enclosure. In addition, the height of the building has been increased by approximately 0.5 metres.

## **4 Consultation**

### **4.1 Statutory Consultation**

#### **4.1.1 Batchworth Community Council: [No comments received]**

No comments received at time of drafting report.

#### **4.1.2 Canal and River Trust: [No objection, subject to conditions]**

The main issues relevant to the Trust as statutory consultee on this application are the impact of the proposal on the adjacent waterway.

Based on the information available our substantive response (as required by The Town and Country Planning (Development Management Procedure) Order 2015 (as amended) is to advise that suitably worded conditions are necessary to address these matters.

The site is adjacent to the River Colne rather than the Grand Union and is partially screened from the canal by the adjacent Tesco building. However, there could be an opportunity to improve the impact of the site when viewed from the water by the addition of an improved waterside landscaping area. This is of particular importance as many of the existing trees

do not appear to be within the red line of the application site and therefore cannot be guaranteed to remain not act as screening.

The River Colne is hydrologically linked to the Canal and therefore care should be taken during the demolition and construction phase to ensure that no pollution is possible. It is suggested that the applicant provide a CEMP as part of their application which includes details relating to contamination and pollution control in order to protect the water environment.

A lighting schedule shall be prepared to allow assessment of the impact of the proposal on the waterway corridor and the protected species, particularly bats that use the corridor for foraging.

These matters can be dealt with by way of a suitably worded condition as suggested below:

1. Prior to the commencement of development, details of a construction environmental management plan, which includes details of the protection of the waterway during construction of the development shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To comply with paragraph 170 of the National Planning Policy Framework as the ecological environment in this location is sensitive and should be protected from disturbance, dust, run off, waste etc. entering the canal.

#### Other Conditions

2. A waterside landscaping scheme shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall indicate the size, species and spacing of planting Any such planting which within a period of 5 years of implementation of the landscaping die, removed, or become serious damaged or diseased shall be replaced in the next planting season with others of a similar size or species, unless the Local Planning Authority gives written consent to the variation. The approved scheme shall be fully implemented prior to the first occupation of the dwelling. No trees shall be planted within 5 metres of the waterway.

Reason: To comply with paragraph 58 of the National Planning Policy Framework to improve the appearance of the site when viewed from the waterside and to enhance the biodiversity of an area. Landscaping also has the potential to impact on the integrity of the waterway and it is necessary to assess this and determine future maintenance responsibilities for the planting. Landscaping affects how the waterway is perceived and any trees within 5 metres of the waterway may have the potential to impact on the structural integrity of the waterway structure.

3. Notwithstanding the plans submitted prior to the commencement of development details of the proposed lighting for the development shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.

Reason: To comply with paragraph 180 of the National planning policy framework as the lighting at waterside developments should be designed to minimise the problems of glare, show consideration for bats and unnecessary light pollution should be avoided by ensuring that the level of luminance is appropriate for the location, is sustainable and efficient, and protect the integrity of the waterway infrastructure.

#### 4.1.3 Environment Agency: [No objection]

(The Environment Agency initially raised objections to the proposed development, after which amended information was issued to them. The below is their most recent response)

We have reviewed the documents submitted and consider that they satisfactorily address our earlier concerns.

We therefore withdraw our previous objections, dated 19 September 2019. However, we strongly urge you to take note of the following informative which refers to policies agreed in the Three Rivers Local Plan.

Missed opportunity for river restoration to support implementation of River Basin Management Plans:

In line with the Thames River Basin Management Plan, we recommend that the proposed development is used as an opportunity to restore more natural processes to the watercourse. The inclusion of a riparian buffer zone to the watercourse would assist in the filtration of surface water and lead to an improvement in water quality for the River Colne and Grand Union Canal, which is currently at moderate status under WFD for the Colne (from confluence of Ver to Gade) waterbody (GB106039029840). The inclusion of a riparian buffer zone would also present the opportunity to create new habitat and improve habitat connectivity and contribute towards the riparian corridor's ability to be used as a migration corridor. This is in line with Policy DM6 of Three Rivers Local Plan and would offer a significant environmental gain at this site.

#### 4.1.4 Environmental Health - Commercial: [No objections]

The historical maps indicate that there has been buildings on site since the 1885-1900 epoch, the site is labelled Corporation Yard on the historical map for the 1947-1967 epoch.

I have reviewed the Preliminary Geo-Environmental Investigation prepared by GO Contaminated Land Solutions (Report ref. 1652-PreGE-1).

The limited investigation undertaken has not identified any elevated concentrations of contaminants of concern that exceed the relevant screening criteria. The presence of asbestos fibres or ACM was not identified in the samples submitted for analysis. No remedial works are considered necessary.

The proposed development will not result in a sensitive end use.

Based on this, the following contaminated land condition is recommended on this and any subsequent applications for the site.

1. Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

INFORMATIVES:

Information for Developers and guidance documents can be found online at [https://www.watford.gov.uk/info/20011/business\\_and\\_licensing/349/contaminated\\_land](https://www.watford.gov.uk/info/20011/business_and_licensing/349/contaminated_land).

4.1.5 Environmental Health - Residential: [No objections]

Having reviewed the available information I have no objections to this application in regards to noise.

4.1.6 Hertfordshire County Council Highways: [No objections]

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

1. No development shall commence until full details (in the form of scaled plans and/or written specifications) have been submitted and approved in writing by the Local Planning Authority to illustrate the following:

- Swept path analysis to illustrate that the largest anticipated vehicles to use the site (e.g. waste collection vehicle) can safely and easily enter and exit both accesses / access roads and that vehicles can safely pass one another when travelling in opposing directions. Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018)

2. Provision of Parking and Servicing Areas

Prior to the first use of the development hereby permitted the proposed access, on-site car and cycle parking and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

3. Provision of Visibility Splays

Prior to the first use of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan number 020 A. The splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway. This would include any overhanging branches from the existing trees within the site under 2m in height within the visibility splay area.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

4. Construction Management

The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and facilities to restrict the generation of dust and mud from the site proposed during the construction period 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/Statement and the approved details are to be implemented throughout the construction programme.

Reason: To minimise danger, obstruction and inconvenience to users of the highway.

**COMMENTS / ANALYSIS:**

The application comprises of works at an existing depot owned by Three Rivers District Council (TRDC) including a demolition of an office block / existing structures, construction of a new block and reconfiguration of the access and parking arrangements within the site

at Batchworth Depot, Harefield Road, Rickmansworth. Harefield Road is designated as a classified C local access road and subject to speed limit of 30mph.

#### VEHICULAR ACCESS ARRANGEMENTS:

There are two current access points into the site, with one used for entry only and the other used for exit only. The eastern access is an extended vehicle crossover whilst the western access has a kerbed bellmouth access. The proposals include converting both accesses into two way entry/exit and a separation of the site resulting in the eastern access being used for cars accessing the offices and the western access being used to provide access to a vehicle storage site including for waste collection vehicles, the layout of which is shown on submitted drawings number 020 A and 010 C.

The submitted proposed site plan (no.020A) includes vehicular entrance gates to the car park that are set back a sufficient distance to enable vehicles to stand clear of the highway whilst the gates are being opened and/or closed, which is acceptable. The proposed location of the access gates for the vehicle storage side of the site would be acceptable and would be considered to not interfere with the safe and free functioning of the adjacent highway. Nevertheless this is subject to the submission and subsequent approval of swept path analysis / tracking plan(s) for both site accesses to illustrate that the largest anticipated vehicles would be able to safely and freely use the access and turn around within the site. This is in addition to demonstrating that two vehicles would be able to safely pass one another when travelling in opposing directions at the accesses.

The proposals include the provision of a 600mm high fence at the front of the site (which is lower in height than the existing boundary fence). This would ensure that visibility splays of 2.4m by 43m can be provided (and permanently maintained) as shown on submitted plan no. 020 A. Following consideration of the speed of traffic, use of both accesses and improvement of visibility to the current levels, the levels of visibility are acceptable and in accordance with Roads in Hertfordshire: Highway Design Guide and Manual for Streets (MfS).

#### CAR PARKING:

There are 35 proposed car parking spaces including three disabled bays. The size and layout of the car parking spaces is considered to be acceptable by HCC as Highway Authority and in accordance with Roads in Hertfordshire and MfS. TRDC is the parking authority and therefore would ultimately need to be satisfied with the level of proposed parking.

#### ACCESSIBILITY AND SUSTAINABILITY:

The site is located on the south side of Rickmansworth approximately 900m to 1km from the town centre and railway station. The nearest bus stops to the site are located along Harefield Road approximately 100m to the north-east of the site and therefore within an acceptable accessibility distance to encourage travel by bus to the site for those journeys further than feasible by bike or on foot.

There is an existing highway footway on either side of Harefield Road. The proposals include a new dedicated pedestrian access point into the, the location and plan of which is acceptable and important to ensure that pedestrian access is maximised to be in accordance with Hertfordshire's Local Transport Plan.

24 Cycle covered parking spaces have been provided in addition to showers and lockers facilities. HCC as Highway Authority would support the promotion and maximisation of cycling as a form of travel to the site. Vehicles would need to be made aware the cyclists would also be using the car park vehicle access with appropriate signage and lighting.

#### TRAVEL PLAN:

HCC as Highway Authority would recommend that a Travel Plan for the development is produced consisting of a written agreement with the County Council which sets out a scheme to encourage, regulate, and promote green travel measures for owners, occupiers, and visitors to the Development in accordance with the provisions of the County Council's 'Travel Plan Guidance for Business and Residential Development'. Further information on travel plans can be found at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

#### TRIP GENERATION AND DISTRIBUTION:

No trip generation details for the existing or proposed site have been submitted as part of the application. However following consideration that the proposals are a reconfiguration of the existing use of the site, the trip generation from the proposals would be considered not to have significant impact on the surrounding highway network.

#### CONCLUSION:

HCC as Highway Authority considers that the proposal would not have an unreasonable or significant impact on the safety and operation of the surrounding highway network. The proposals have the potential to provide safer access into and out of the site than the current arrangements. Therefore, HCC has no objections on highway grounds to the application, subject to the inclusion of the above planning conditions and informatives.

#### 4.1.7 Hertfordshire County Council Minerals and Waste Team: [No objections]

##### Minerals

In relation to minerals, the site falls entirely within the 'Sand and Gravel Belt' as identified in Hertfordshire County Council's Minerals Local Plan 2002 – 2016. The Sand and Gravel Belt', is a geological area that spans across the southern part of the county and contains the most concentrated deposits of sand and gravel throughout Hertfordshire. In addition the site falls entirely within the sand and gravel Mineral Safeguarding Area within the Proposed Submission Minerals Local Plan, January 2019. It should be noted that British Geological Survey (BGS) data identifies that there are superficial sand/gravel deposits in the area on which the application falls.

Adopted Minerals Local Plan Policy 5 (Minerals Policy 5: Mineral Sterilisation) encourages the opportunistic extraction of minerals for use on site prior to non-mineral development. Opportunistic extraction refers to cases where preparation of the site for built development may result in the extraction of suitable material that could be processed and used on site as part of the development. This may include excavating the foundations and footings or landscaping works associated with the development. Policy 8: Mineral Safeguarding, of the Proposed Submission document relates to the full consideration of using raised sand and gravel material on site in construction projects to reduce the need to import material as opportunistic use.

The county council, as the Minerals Planning Authority, would like to encourage the opportunistic use of these deposits within the developments, should they be found when creating the foundations/footings. Opportunistic use of minerals will reduce the need to transport sand and gravel to the site and make sustainable use of these valuable resources, however due to the site being previously developed it is unlikely that there are any further resources to be extracted for use on site during development.

##### Waste

Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the County Council's adopted waste planning documents. In particular, the waste planning documents seek to promote the sustainable management

of waste in the county and encourage Districts and Boroughs to have regard to the potential for minimising waste generated by development.

Most recently, the Department for Communities and Local Government published its National Planning Policy for Waste (October 2014) which sets out the following:

*'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:*

- *the likely impact of proposed, non- waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;*
- *new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;*
- *the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'*

This includes encouraging re-use of unavoidable waste where possible and the use of recycled materials where appropriate to the construction. In particular, you are referred to the following policies of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan. The policies that relate to this proposal are set out below:

- Policy 1: Strategy for the Provision for Waste Management Facilities. This is in regards to the penultimate paragraph of the policy;
- Policy 2: Waste Prevention and Reduction; &
- Policy 12: Sustainable Design, Construction and Demolition.

In determining the planning application the District Council is urged to pay due regard to these policies and ensure their objectives are met. Many of the policy requirements can be met through the imposition of planning conditions.

Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where that waste is being taken to. Good practice templates for producing SWMPs can be found at: <http://www.smartwaste.co.uk/> or <http://www.wrap.org.uk/category/sector/waste-management>.

The County Council would expect detailed information to be provided within a SWMP. The SWMP should cover both waste arisings during the demolition and construction phases. The waste arising from construction will be of a different composition to that arising from the demolition. As a minimum the waste types should be defined as inert, non-hazardous and hazardous.

The SWMP should be set out as early as possible so that decisions can be made relating to the management of waste arisings during demolition and construction stages, whereby building materials made from recycled and secondary sources can be used within the development. This will help in terms of estimating what types of containers/skips are required for the stages of the project and when segregation would be best implemented for various waste streams. It will also help in determining the costs of removing waste for a project. The total volumes of waste during enabling works (including demolition) and construction works should also be summarised.

SWMPs should be passed onto the Waste Planning Authority to collate the data. The county council as Waste Planning Authority would be happy to assess any SWMP that is submitted as part of this development either at this stage or as a requirement by condition, and provide comment to the District Council.

The proposed development site is located within 100m south of the Safeguarded Site SA140 HWRC Rickmansworth (Riverside Drive). It should be noted that HWRC Rickmansworth is an existing operational waste site which is safeguarded under Waste Policy 5: Safeguarding of Sites, in the county council's Waste Core Strategy and Development Management Policies document, adopted November 2012 as they contribute to a strategic network of waste management provision within the county. Whilst the county council does not object to this proposed development, any further proposals should not prejudice the site's use as a Household Waste Recycling Centre (HWRC).

The relationship between any proposed development alongside a safeguarded waste facility needs to be considered carefully to ensure that the operation of the existing waste facility is not jeopardised by a conflict between differing land uses.

#### 4.1.8 Herts Ecology: [No objection subject to conditions]

Thank you for consulting Hertfordshire Ecology on the above. Hertfordshire Environmental Records Centre does not have any habitat or species data for the site, which includes concrete / tarmac hardstanding (for vehicle storage, car parking), ancillary storage tanks, a dilapidated two storey office building (used by Council employees), a row of mature trees along the southern boundary, piles of equipment / waste bins.

Adjacent to the northern boundary is a section of the River Colne (albeit behind a close-boarded fence). There are records of bats and House martins in the area. Otters have been recorded along the River Colne 340m to the south-west (near Stockers Lake Nature Reserve and Rickmansworth Aquadrome Local Nature Reserve).

##### Habitats and species

The Preliminary Ecological Appraisal (Arbtech Consulting, July 2019) found negligible semi-natural habitats (limited to trees) and very limited potential for protected species (including bats in the buildings).

Consequently, protected species, including Otters, should not be regarded as a constraint to these development proposals.

##### Trees

There are a number of arboricultural reports describing the trees on site, and those that will be retained and protected and those that will be removed. Removed trees should ideally be replaced with new planting, and native species and/or fruit/nut trees be welcomed.

##### Nesting birds

Of course, any significant tree/shrub works or removal should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young.

If this is not practicable, a search of the area should be made no more than two days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.

##### Lighting

Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation and the river to ensure dark corridors

remain for use by wildlife as well as directing lighting away from potential roost / nesting sites.

#### Biodiversity net gain and enhancements

The planning system should aim to deliver overall net gains for biodiversity where possible as laid out in the National Planning Policy Framework and other planning policy documents. It would be appropriate for this development to enhance the site for bats and birds. This could include the provision of roosting opportunities through the integration of bat bricks/units within the design of the building, or installation of bat boxes on suitable retained trees. The creation of foraging areas by planting species which attract night flying insects will also be beneficial to bats. For birds, the inclusion of bird boxes on trees for common garden bird species, or nest box terraces on buildings for House martins would be welcomed, as would the planting of native tree/hedgerows species if appropriate.

A proposed soft landscape plan has been produced, however, I advise this is incorporated into a Landscape and Biodiversity Plan, which should include details of how biodiversity will be incorporated within the development scheme, details of native tree and shrub species (and wildflower species if relevant), and the location of bat, bird and other habitat boxes, etc. This should address the expectations of NPPF in achieving overall net gain for biodiversity. I advise this Landscape and Biodiversity Plan be secured by Condition should consent is granted

#### 4.1.9 National Grid: [No comments received]

No comments received at time of drafting report.

#### 4.1.10 Three Rivers District Council Conservation Officer: [No objections]

There are no designated heritage assets within the site. A pair of listed cottages, 21 and 25 Harefield Road, are located opposite the site (list entry number 1348224). Built as an agricultural unit in the late sixteenth century, the two cottages originally formed one dwelling and have been split and altered substantially in subsequent centuries. Development has gradually encroached upon the setting of the properties, lessening their ties with the historic agricultural use of the building as the area's land usage has changed.

I have no objection to the proposed alterations to the site and construction of a new office block, which will replace and remove elements of the site which do not contribute positively to the appearance of the wider area. Although large, the proposed new block is an appropriate height for the area, and the site sufficiently landscaped, to ensure the setting of the listed buildings will not be compromised by the proposals.

#### 4.1.11 Three Rivers District Council Landscape Officer: [No objections]

The application is accompanied by an arboricultural method statement. I am satisfied with the contents of the report, and agree with the tree removals and recommendations made within.

I therefore have no objections to or concerns with the proposal.

#### 4.1.12 Thames Water: [Object, alternatively Informatives suggested]

##### Waste Comments

The proposed development is located within 15m of a Thames Water Sewage Pumping Station. Given the nature of the function of the pumping station and the close proximity of the proposed development to the pumping station we consider that any occupied premises should be located at least 15m away from the pumping station as highlighted as best practice in Sewers for Adoption (7th edition)'. The amenity of those that will occupy new development must be a consideration to be taken into account in determining the application

as set out in the National planning Policy Framework (NPPF) 2019 at paragraphs 170 and 180. Given the close proximity of the proposed development to the pumping station we consider that it is likely that amenity will be impacted and therefore object. Notwithstanding this objection, in the event that the Local Planning Authority resolve to grant planning permission for the development, we would request that the following informative is attached to the planning permission: "The proposed development is located within 15m of a Thames Water Sewage Pumping Station and this is contrary to best practice set out in Sewers for Adoption (7th edition). Future occupiers of the development should be made aware that they could periodically experience adverse amenity impacts from the pumping station in the form of odour; light; vibration and/or noise."

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "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. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

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.

#### Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

#### Supplementary Comments

In the centre of the proposed development site sits Batchworth SPS. There is also a right of way easements to the south of the site. Thames Water will require to maintain 24 hour access to their site. The proposed plans indicate that the applicant has retained a free access, however the company will seek assurances that it will not be affected by the proposed development in the future.

## **4.2 Public/Neighbour Consultation**

4.2.1 Number consulted: 42

4.2.2 No of responses received: None received.

4.2.3 Additional consultation exercise undertaken 30 September 2019 to publicise amended plans. No comments have been received at the time of drafting this report, any comments received will be verbally reported.

4.2.4 Site Notice: Displayed 16 August 2019, expired 7 September 2019.

## **5 Reason for Delay**

5.1 Committee cycle.

## **6 Relevant Planning Policy, Guidance and Legislation**

### **6.1 National Planning Policy Framework and National Planning Practice Guidance**

In 2019 the new National Planning Policy Framework was published. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

The NPPF states that ‘good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would ‘significantly and demonstrably’ outweigh the benefits.

### **6.2 The Three Rivers Local Development Plan**

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies PSP1, CP1, CP6, CP9, CP10 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following

Examination in Public which took place in March 2013. Relevant policies include DM3, DM4, DM6, DM8, DM9, DM10, DM13 and Appendix 5.

### 6.3 Other

The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

## 7 **Planning Analysis**

### 7.1 Principle of Development

7.1.1 The application site is an existing operational Council Depot. The development subject of this application does not change the nature of the use of the site, but proposes the demolition of the existing office building and a number of other, smaller, outbuildings, and the construction of a replacement office building. There is no change of use proposed as part of the proposal, and the principle of the proposed development is therefore considered to be acceptable.

### 7.2 Impact on Character and Street Scene

7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.

7.2.1 The proposed replacement office building would be clad generally in vertical Larch boarding, with horizontal timber cladding across the glazing to the front. The front façade would have a large glazed area to identify the entrance foyer and this would be clad in aluminium. The building would be fairly contemporary in appearance, with the primary use of timber cladding not reflective of the materials used in the surrounding area. However, the majority of the neighbouring buildings are dwellings clad in brick or rendered. The existing buildings at the site are generally metal clad. The use of timber and metal is considered appropriate given the site clearly has its own appearance and identity, and a use distinct from the neighbouring uses. The use of timber cladding is considered to respect the local distinctiveness of the site and would conserve the character, amenities and quality of the area.

7.2.2 The proposed replacement office building would be closer to Harefield Road than the existing building and the proposed design and cladding are considered appropriate given that the proposed building would be more visible from the street scene than the existing building. The building would retain a considerable set-back from the footway of Harefield Road of between 6 metres and 8.6 metres, with fencing proposed between the building and Harefield Road which would act to screen much of the building. Having regard to its siting within the plot, the proposed building is not considered to appear cramped within its plot.

- 7.2.3 The setback between the proposed building and Harefield Road ensures the proposed building would not appear overly prominent within the street scene. The application site retains a character which is different in terms of use and appearance to the remainder of this part of Harefield Road, and the proposed building would maintain the different character whilst not appearing overly prominent or incongruous.
- 7.2.4 It is noted that the proposal includes the removal of a large number of ancillary outbuildings. It also includes further formalisation of the vehicle parking arrangements in the site, with staff car parking remaining to the east of the site and operational vehicles remaining on the western side of the site. The removal of the outbuildings and formalisation of the parking areas, along with replacement/reinstatement of asphalt would further improve the appearance of the site.
- 7.2.5 The street frontage is currently dominated by tall close-boarded fence alongside the footway. As part of this proposal, the 1.8m high close boarded fencing would be set back 3.5 metres from the footway. This would make the existing lime trees more visible in the street and provide an area of verge which is considered to enhance the appearance of the site from Harefield Road. A low fence would be used to enclose this grassed area. The fencing would improve visibility from the points of access as well as improve the appearance of this part of the street scene.
- 7.2.6 A new pedestrian entrance is proposed, generally opposite the junction with Sherfield Avenue. This would be a gated entrance, enclosed by fencing, and would not harm the character of the area.
- 7.2.7 As previously noted, the application site is opposite a pair of semi-detached listed cottages. Policy DM3 notes that development should sustain, conserve and enhance the significance, character and setting of heritage assets. In this instance, the listed cottages directly face Harefield Road, whilst the proposed building would remain set back from Harefield Road and enclosed in part with fencing. The Conservation Officer has raised no objections to the proposal, and comments that the site is suitably landscaped to ensure the setting of the listed buildings will not be compromised by the proposals.
- 7.2.8 The removal of the various existing buildings, provision of new office building, and alterations to hard and soft landscaping at the site are considered to enhance the character and appearance of the application site, with no detrimental impact on the street scene or the locality.
- 7.3 Impact on amenity of neighbours
- 7.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'.
- 7.3.2 The nearest neighbouring properties are the row of terraces to the east of the site, with Nos. 14 and 16 Harefield Road being closest to the site. There are also neighbouring dwellinghouses on the opposite side of Harefield Road, and narrowboat moorings to the rear of the site.
- 7.3.3 It is noted that the actual use and user of the site is not proposed to change. The existing vehicular access adjacent to No. 16 Harefield Road would be available for traffic to enter and exit, but this would primarily be for staff use, with operational vehicles using the second access point to the western end of the site.
- 7.3.4 The proposed building would be sited beyond the flank elevation of No. 16 Harefield Road and approximately 12.7 metres from the boundary with that nearest dwelling. It would be some 30 metres from No. 17 Harefield Road. Having regard to these distances, and the positioning of the proposed building, it is not considered that the replacement office building

would appear overbearing or visually intrusive when viewed from any neighbouring property. In addition the spatial relationship and distances ensure the proposed building would not adversely affect the privacy of the occupants of any neighbouring property.

- 7.3.5 In respect of any noise and disturbance, the use of the site is not proposed to change. The proposed building would not materially impact on noise or air pollution from the site. It is noted that adjacent to the eastern elevation an air conditioning condenser is proposed. The Environmental Health Officer has reviewed the specification of this unit, and details of the proposed acoustic enclosure, and raises no objections.

#### 7.4 Wildlife and Biodiversity

- 7.4.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive.

- 7.4.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application.

- 7.4.3 The application has been submitted with a Biodiversity Checklist and a Preliminary Ecological Appraisal Survey. This found no evidence of protected species on the site and limited potential for protected species to be using the site. However, site-specific enhancements have been suggested including the installation of bat and bird boxes in trees, retention of natural waste materials to make log piles for reptiles and amphibians.

- 7.4.4 Herts Ecology have reviewed the submission and comment that removed trees should be replaced with new planting. In addition, they have commented that any external lighting should be designed to minimise light spill and direct it away from boundary vegetation and the river. It is suggested that it would be appropriate for the development to enhance the site for bats and birds, and this could be secured through the submission of a Landscape and Biodiversity Plan. Subject to this condition, it is considered that there would be an overall net gain to biodiversity and no objections are raised.

- 7.4.5 The Canal and River Trust have raised no objections to the proposal, subject to the inclusion of a number of planning conditions. One requires the submission of a Construction Environmental Management Plan, to include details of the protection of the waterway during construction of the development. This is considered reasonable and necessary, in the interest of protecting the ecological environment of the waterway. They have also requested a condition requiring details of a waterside landscaping scheme to be submitted to the LPA for approval. It is noted that the application site does not extent up to the edge of the waterway, but is enclosed by close boarded fencing. On this basis, it is not considered reasonable or relevant to attach a condition requiring waterside landscaping. Finally, a condition is suggested requiring details of lighting to be submitted to the LPA for its approval, to ensure any impact on bats and light pollution is understood and minimised. This condition is considered to be reasonable in the interests of protecting biodiversity at the site.

#### 7.5 Trees and Landscaping

- 7.5.1 Policy DM6 states that proposals should be submitted with landscaping proposals which seek to retain trees and other important landscape and nature conservation features.

- 7.5.2 The application site contains 37 trees and four are proposed to be removed (one unknown, two sycamore and one alder). These are not high quality trees (two are rated U and two

rated C). Three of these trees are set back into the site, whilst one is on the frontage and close to No.16 Harefield Road. The site does not contain any TPO Trees. The row of trees to the site's frontage with Harefield Road are all proposed to be retained, and conditions are attached to ensure the trees are protected during construction works. The tree removals are considered acceptable as they would not harm the character or amenity of the surrounding area.

7.5.3 The Landscape officer has confirmed they are satisfied with the content of the submitted arboricultural report and raises no objections. As the site layout differs between the submitted arboricultural drawings and the architectural drawings, a condition is attached requiring an updated tree protection plan to be submitted to the LPA for its approval before works commence.

## 7.6 Highways, Access and Parking

7.6.1 As noted above, the use of the site is not proposed to be changed. However the site layout is proposed to be changed, with the office building repositioned within the site and the parking layout rationalised. In addition, whilst at present the eastern vehicular entrance is used for entry only, as proposed both would be available for entrance to and exit from the site. It is noted also that the boundary fencing to the site is proposed to be changed, with the close boarded fencing to the frontage set further back from Harefield Road and a low level fence installed along the front boundary between the site and the footway.

7.6.2 Hertfordshire County Council as Local Highway Authority have reviewed the submission, and note that both accesses would be converted into entry/exit points with a separation internally between operational vehicles and staff vehicles. They also comment that the proposed entrance gates would be set back a sufficient distance to enable vehicles to stand clear of the highway. No objections are raised to the proposal, subject to the submission of swept path analysis to demonstrate that the largest anticipated vehicles would be able to safely and freely use the access and turn around within the site. This is in addition to demonstrating that two vehicles would be able to safely pass one another.

7.6.3 It is acknowledged that the alterations to the front boundary fencing would ensure that sufficient visibility splays can be provided, and on this basis no objections are raised to the use of the access points.

7.6.4 In respect of car parking, Appendix 5 of the Development Management Policies document sets out that Use Class B1(a) Offices require one parking space per 30 sqm of gross floor area and Use Class B1(c) Light Industry require one parking space per 35 sqm of gross floor area. The proposed office would have a gross floor area of 466 sqm, resulting in a requirement of between 13 and 16 car parking spaces to be provided. The submitted site plan shows 32 car parking spaces to be provided, which is in excess of the policy requirement. In addition, three disabled car parking spaces are proposed. Twenty-four cycle parking spaces are also proposed, in excess of the policy requirement. On this basis it is considered that sufficient parking is proposed to comply with DM13 and Appendix 5.

## 7.7 Sustainability

7.7.1 Paragraph 148 of the NPPF states that "Planning plays a key role in helping to shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure".

7.7.2 Policy CP1 of the Core Strategy requires the submission of an Energy and Sustainability Statement demonstrating the extent to which sustainability principles have been incorporated into the location, design, construction and future use of proposals and the expected carbon emissions.

7.7.3 Policy DM4 of the DMLDD requires applicants to demonstrate that development will produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability. This may be achieved through a combination of energy efficiency measures, incorporation of on-site low carbon and renewable technologies, connection to a local, decentralised, renewable or low carbon energy supply. The policy states that from 2016, applicants will be required to demonstrate that new residential development will be zero carbon. However, the Government has announced that it is not pursuing zero carbon and the standard remains that development should produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability.

7.7.4 It is proposed that the building be constructed of an enhanced fabric to reduce energy consumption and heat loss. In addition, efficient lighting is proposed to be used, and solar PV panels installed on the roof. Together, these measures result in a 11% saving over the 2013 Building Regulations baseline, with the introduction of renewables reducing CO2 emissions by another 5.64%. The proposed development would therefore meet the requirements of Policy DM4.

## 7.8 Flood Risk and Drainage

7.8.1 Policy CP1 requires all development in Three Rivers to contribute to the sustainability of the District, by minimising flood risk through the use of Sustainable Drainage Systems. Policy DM8 refers to Flood Risk and Water Resources, and states that development will only be permitted where it would not be subject to unacceptable risk of flooding. It also states that Development in all areas should include Sustainable Drainage Systems to reduce surface water runoff.

7.8.2 The Environment Agency have been consulted on the application because of its proximity to the River Colne and because part of the application site is within Flood Risk Zones 2 and 3. The Environment Agency initially raised objections to the proposal, but following receipt of additional information have confirmed they have no objections to the proposed development.

7.8.3 Thames Water have also been consulted on this application, because of the presence of their operational machinery (sewage pumping station) within the centre of the application site. Thames Water have stated that given the function of the pumping station they consider the proposed development should be 15 metres away from it. They have raised an objection given the close proximity of the proposed development to the pumping station and the impact that would be had on the amenities of occupants. It is noted that the proposed building is an office building rather than dwellinghouse, and therefore the proposed building would be occupied only during normal office working hours. Anecdotal evidence from existing staff implies there is no current issue of disturbance from the pumping station. Furthermore, the proposed building would be constructed of modern materials and is likely to benefit from a good level of insulation against noise, and would have air conditioning which reduces the need for windows to be open. On this basis, it is not considered that planning permission could be refused on the basis of Thames Water's comments – and their advice that an informative should be attached has been taken below.

7.8.4 In relation to the impact on the waste water network and sewage treatment works, Thames Water raise no objection to the proposal.

## 7.9 Refuse and Recycling

7.9.1 Policy DM10 (Waste Management) of the DMLDD advises that the Council will ensure that there is adequate provision for the storage and recycling of waste and that these facilities are fully integrated into design proposals. New developments will only be supported where:

- i) The siting or design of waste/recycling areas would not result in any adverse impact to residential or work place amenity
- ii) Waste/recycling areas can be easily accessed (and moved) by occupiers and by local authority/private waste providers
- iii) There would be no obstruction of pedestrian, cyclists or driver site lines

7.9.2 Hertfordshire County Council's Minerals and Waste team have requested a Site Waste Management Plan be submitted to the LPA for approval, to ensure waste generated during the course of construction works is appropriately managed.

7.9.3 In terms of refuse and recycling generated by the development once in operation, the submitted drawings show refuse and recycling storage facilities to be located adjacent to the eastern boundary of the site, adjacent to the boundary fence. Beyond this boundary fence is a footpath providing access to the narrow boat moorings, and beyond the footpath is the gardens serving neighbouring properties. The siting of the storage facilities is considered acceptable as it will not appear prominent in the locality or harm the amenities of neighbours.

## **8 Recommendation**

8.1 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: 0495\_PL\_001, 0495\_PL\_005 REV A, 0495\_PL\_010 REV E, 0495\_PL\_015 REV D, 0495\_PL\_020 REV C, 0495\_PL\_100 REV E, 0495\_PL\_105 REV B, 0495\_PL\_200 REV D, 0495\_PL\_400, 219284-C 900 REV P4, 219284-C 901 REV P1, 19073.CC.001 T3, 19073.SS.001 T3.

Reason: For the avoidance of doubt, in the proper interests of planning and in accordance with Policies PSP1, CP1, CP6, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM3, DM4, DM6, DM8, DM9, DM10, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C3 Before any building operations above ground level hereby permitted are commenced, samples and details of the proposed external materials, and a maintenance schedule for the proposed 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 building being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011).

C4 Prior to the installation of any of the fencing as shown on Drawing No. 0495\_PL\_010 REV E, elevations and details of the appearance and finish of all fencing types shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall thereafter be installed only in accordance with the details as approved by this condition.

Reason: To ensure the means of enclosure have a satisfactory impact on the street scene and wider area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011).

C5 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment

must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with paragraph 170 of the National Planning Policy Framework and Policy DM9 of the Development Management Policies LDD (July 2013).

- C6 Notwithstanding the plans submitted, prior to the installation of any lighting on site full details and specification of the proposed lighting for the development shall be submitted to and approved in writing by the Local Planning Authority. The specification shall include heights of lighting columns, spillage diagrams and proposed hours of operation. The lighting shall thereafter be implemented only in accordance with the agreed details.

Reason: To comply with paragraph 180 of the National planning policy framework as the lighting at waterside developments should be designed to minimise the problems of glare, show consideration for bats and unnecessary light pollution should be avoided by ensuring that the level of luminance is appropriate for the location, is sustainable and efficient, and protect the integrity of the waterway infrastructure in the interests of safeguarding protected species and the character of the area and to meet the requirements of Policies CP1 and CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C7 Prior to the commencement of development, including any demolition, a Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority. The SWMP should aim to reduce the amount of waste being produced on site and should contain information including types of waste removed from the site and where that waste is being taken to. The development shall be carried out in accordance with the approved SWMP.

Reason: This is a pre commencement condition to promote sustainable development and meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011), Policy DM10 of the Development Management Policies LDD (adopted July 2013) and Policy 12 of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document (2012).

- C8 No development shall take place above ground floor slab level until a Landscape and Biodiversity Plan has been submitted to and approved in writing by the Local Planning Authority.

The plan shall include details of how it is planned to incorporate biodiversity as part of the development scheme, details of proposed tree and soft planting locations and species, the location of bird, bat and other habitat boxes, and details of all proposed hard landscaping.

The biodiversity enhancement plans and hard landscaping shall be implemented in full prior to the first occupation of the building hereby permitted. The soft landscaping works required by the approved scheme shall be carried out before the end of the first planting and seeding season following first occupation of any part of the buildings or completion of the development, whichever is sooner.

All soft landscaping works required by the approved scheme shall be carried out before the end of the first planting and seeding season following first occupation of any part of the buildings or completion of the development, whichever is sooner.

If any existing tree shown to be retained, or the proposed soft landscaping, are removed, die, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (i.e. November to March inclusive).

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area. It is required to be a pre-commencement condition to enable the LPA to assess in full the trees to be removed and the replacement landscaping requirement before any works take place, and to ensure trees to be retained are protected before any works commence in the interests of the visual amenity of the area 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).

- C9 No development or other operation shall commence on site whatsoever until an arboricultural method statement (prepared in accordance with BS: 5837 (2012) 'Trees in relation to design, demolition and construction') 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, site supervision by qualified arborist, proposed levels where they differ from existing, removal of material from the site, importation and storage of building materials and site facilities on the site, tree protection measures and details including location and depths of underground service routes, methods of excavation and construction methods including working methodologies, in particular where they lie close to trees.

The development shall only be implemented in accordance with the approved method statement.

The tree protection measures, including fencing, shall be undertaken in full 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 condition is a pre-commencement condition to ensure that no development takes place until appropriate measures are taken to prevent damage being caused to trees during construction, 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).

- C10 No development shall commence until full details (in the form of scaled plans and/or written specifications) have been submitted and approved in writing by the Local Planning Authority to illustrate the following:

Swept path analysis to illustrate that the largest anticipated vehicles to use the site (e.g. waste collection vehicle) can safely and easily enter and exit both accesses / access roads and that vehicles can safely pass one another when travelling in opposing directions.

Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction 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).

- C11 Prior to the first use of the development hereby permitted the proposed access, on-site car and cycle parking and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.

Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction 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).

- C12 Prior to the first use of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan number 020 A. The splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway. This would include any overhanging branches from the existing trees within the site under 2m in height within the visibility splay area.

Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction 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).

- C13 The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and facilities to restrict the generation of dust and mud from the site proposed during the construction period 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/Statement and the approved details are to be implemented throughout the construction programme.

Reason: 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).

- C14 Prior to the commencement of development, details of a construction environmental management plan, which includes details of the protection of the waterway during construction of the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be implemented only in accordance with the plan as approved by this condition.

Reason: This is a pre commencement condition in the interests of safeguarding protected species and to meet the requirements of Policies CP1 and CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C15 The development hereby permitted shall be constructed only in accordance with the energy saving measures set out in the submitted Energy Demand Statement (Report PA-ES-BATCHDPT-THRI-19-01 dated July 2019).

Reason: This is a condition 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 make as full a contribution to sustainable development principles as possible.

## 8.2 **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 £116 per request (or £34 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. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk).

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) (for self-build housing) 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.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. 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 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, 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 applicant and/or their agent and the Local Planning Authority engaged in pre-application discussions which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 14 The applicant is reminded that the proposed development is located within 15m of a Thames Water Sewage Pumping Station and this is contrary to best practice set out in Sewers for Adoption (7th edition). Future occupiers of the development should be made aware that they could periodically experience adverse amenity impacts from the pumping station in the form of odour; light; vibration and/or noise.
- 15 The applicant is advised that there are public sewers crossing or close to your development. Thames Water require that if you are planning significant work near their sewers, it is important that you minimize the risk of damage. Thames Water would need to check that your development doesn't limit repair or maintenance activities, or inhibit the services they provide in any other way. The applicant is advised to read Thames Water's guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

- 16 The applicant is advised that 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. Thames Water would expect the developer to 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 020 3577 9483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.
  
- 17 The applicant is advised that Thames Water 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.