

PLANNING COMMITTEE – 21 MAY 2020

PART I – DELEGATED

6. **20/0098/FUL - Demolition of existing garage and associated buildings and structures and the erection of a 75-bed care home (use class C2) with car parking and associated landscaping at BRIDGE MOTORS, 44 CHURCH STREET, RICKMANSWORTH, HERTFORDSHIRE, WD3 1JE. (DCES)**

Parish: Batchworth Community Council
Expiry of Statutory Period: 28.04.2020
Extension of time agreed: 29.05.2020

Ward: Rickmansworth Town
Case Officer: Matthew Roberts

Recommendation: That subject to the recommendation of approval from the Lead Local Flood Authority (LLFA) and the completion of a Section 106 Agreement, that the application be delegated to the Director of Community and Environmental Services to GRANT PLANNING PERMISSION subject to conditions and any additional conditions as requested by the LLFA.

Reason for consideration by the Committee: Called in by three Members of the Planning Committee.

1 Relevant planning history of the application site

- 1.1 8/442/74: Concrete base and open car wash unit. Refused.
- 1.2 8/62/87: Replacement storage tanks. Permitted.
- 1.2.1 **Relevant planning history adjacent at St Mary's Church and listed phone box**
- 1.2.2 8/378/80: Church hall and Car park. Permitted.
- 1.2.3 07/0214/FULL Single storey extension and insertion of three, French doors in place of existing windows. Permitted.
- 1.2.4 18/1614/FUL & 18/1615/LBC: Change of use from phone box to use as notice board for community organisations. Permitted.

2 Description of Application Site

- 2.1 The application site comprises a relatively rectangular parcel of land located on the western side of Church Street in Rickmansworth. The site lies between Batchworth House, a part two, three and four storey office building and St Mary's Church, a Grade II Listed Building. To the immediate west of the site there is woodland and the River Colne which falls within the Metropolitan Green Belt.
- 2.2 The application site includes a number of uninspiring buildings all positioned along the frontage belonging to Bridge Motors (car servicing, showroom and repairs and MOT workshop); a single storey pitched roof building towards the south, a petrol station forecourt with canopy, a two storey rendered flat roofed building and towards the north a further part bricked, part pebble-dashed two storey flat roofed building. In-between the said buildings there are two vehicular accesses, each served by a separate drop kerb with Church Street.
- 2.3 Beyond the established built form within the application site there is a large expanse of uneven hard surfacing which is used for ancillary purposes to Bridge Motors, predominately for the storage and parking of cars. There is also a culvert towards the south western part of the site which extends from the River Colne beneath the site.

- 2.4 To the north east of the application site there is a Grade II Listed Building in the form of a red telephone box which has been subject to a proposed change of use application to turn it into a notice board for community organisations.
- 2.5 To the rear of the site is a woodland which contains an old canal water basin that connects to the Rivers Chess and informal footpaths which adjoin onto a nearby public right of way (Rickmansworth 068).
- 2.6 In terms of policy designations, the application site falls within the Principle Town, Source Protection Zone 1, Flood Zones 1, 2 and 3, Rickmansworth Conservation Area, an archaeological site and partially within an allocated housing site.

3 Description of Proposed Development

- 3.1 This application seeks planning permission for the demolition of the existing garage and associated buildings and structures and the erection of a 75-bed care home (use class C2) with car parking and associated landscaping.
- 3.2 The new building would be a part three, part four storey building which would have an “L” shaped footprint with the building running parallel with the southern boundary with Batchworth House and set back from Church Street by approximately 6m. The building would have a varied roof form including gabled features, hipped roofs and three crown sections. The building would be at its highest towards the front with a height of 15.7m sloping down to an eaves height of 10.5m. The main body of the building projecting westwards would have a maximum gabled height of approximately 14.6m with the three crown sections measuring approximately 13.6m above ground level. The rear most section of the building would have a maximum height of 13.8m while the northern projection which is three stories high would have a height of approximately 11.2m.
- 3.3 The building would be set in from the southern boundary by a minimum of 1.2m increasing to 4m given the splayed nature of the boundary. It would also be set in from the northern boundary with St Mary’s Church by a minimum of 6m increasing to 14m.
- 3.4 In terms of external appearance, the building would have brickwork finish with the ground floor incorporating dark red brickwork and the upper floors of red/orange brickwork. The gabled elevations across the development would be painted white and slate tiles would be used for the roof.
- 3.5 Internally, the building would provide for 75 bedrooms (all one beds) including communal facilities for residents such as a café, library, cinema, hairdressers and lounges with other ancillary facilities provided including offices, kitchens and meeting rooms. At ground level all bedrooms would have their own independent access to an external patio area. At first and second floor levels the lounge areas would be supplemented by external terraces.
- 3.6 The development would be served by a total of 25 parking spaces which includes 2 spaces for disabled parking (8 spaces would be beneath an under-croft). There will also be a delivery bay close to the front of the building and cycle stands close to the Church Street frontage. A single storey refuse store with a sedum (grassed) roof would be built up to the southern boundary and will be accessed externally via a service pedestrian access with Church Street.
- 3.7 Within the external circulation space around the building the development will include a range of hard surfacing (block paving, flag paving and resin bound gravel) supported by a number of landscaped character areas which include a barbecue area with water feature, residents gardening area, a flood compensation area (wildflower meadow) and private patios. Within the external areas there would be tables, chairs, benches, arches and pergolas. The exterior lighting would include low level bollards, wall mounted lights, brick lighting to the entrance steps and ceiling lights within the under croft area.

3.8 The development would be enclosed by a range of boundary treatments, some of which are pre-existing (church flank wall and existing northern boundary brick wall) and other proposed including a new 0.9m high brick wall along the Church Street frontage and 1.8m high close boarded fencing predominately along the southern, western (rear) and northern boundaries.

3.9 During the application process the original scheme has been amended as follows:

- Changes to the design of the building and inclusion of different external materials
- Changes to the boundary treatments (leaving neighbouring Church extension as boundary wall)
- Changes to flood design scheme

4 Consultation

4.1 Statutory Consultation

4.1.1 Batchworth Community Council: [No objection]

"Batchworth Community Council has no objection to this application."

4.1.2 Local Plans: [Comments provided]

"The south-east portion of the application site is not within the boundary of the housing allocation. The area outside of the housing allocation is located on brownfield land; the National Planning Policy Framework (NPPF) (2019) states that planning decisions should give substantial weight to the values of using suitable brownfield land for homes and other needs.

Residential development on the area outside of the allocation boundary is supported on the basis of the land being previously developed. However, the portion of the application site which lies outside of the housing allocation boundary is located in Flood Zone 3 and consideration should be given to this.

Policy CP3 of the Core Strategy states that the Council will promote development that caters for a range of housing needs, including the provision of housing for the elderly. The most recent SHMA (2016) indicates that there is a need for 593 additional residential/nursing care bed-spaces in Three Rivers for the period 2013-2036, equating to an annual need of 26 bedspaces.

The proposal would contribute to this indicative need being met, therefore complying with Policy CP3. Policy SA1 of the Site Allocations LDD states that allocated housing sites will be safeguarded for housing development; residential institutions (C2 use) are considered to contribute to housing supply and the proposal for C2 complies with Policy SA1 in this regard. As set out in the Three Rivers Housing Land Supply (2019), the Council uses a conversion ratio of 1.9 bedrooms in C2 equating to 1 market dwelling; a 74-bed care home would therefore equate to the delivery of 38 market dwellings. This is higher than the indicative capacity of the site although as stated, the proposed development site is larger than that of the housing allocation.

The NPPF also encourages an uplift in the density of development in town centre locations which are well served by public transport.

However, whilst C2 use is considered to contribute to housing supply, it is considered that the provision of C3 use on the application site would more effectively contribute to meeting the housing need in Three Rivers. Against the current standard methodology, Three Rivers has an objectively assessed housing need of 624 dwellings per year. This figure is

significantly higher than the housing target set out in the adopted Local Plan (180 dwellings per year), demonstrating the importance of ensuring that development makes optimal use of the potential of each site, as set out in the NPPF (para.123). The site is in a town centre location where a high density of C3 development would be considered appropriate. Subsequently, it is considered the most efficient use of land on this site would be achieved through the provision of residential development in C3 use.”

4.1.3 Conservation Officer: [Objection]

Initial comments:

“The site is located within the Rickmansworth Conservation Area and within the settings of several listed buildings, as identified within the applicant’s Heritage Statement:

- The Priory (Grade II, list entry no: 1296195)*
- St Mary’s Church (Grade II, list entry no: 1100876)*
- War memorial about 40 metres east of Church of St Mary (Grade II, list entry no: 1296164)*
- K6 telephone kiosk (Grade II, list entry no: 1101568)*
- The Bury (Grade II, list entry no: 1173409)*

The Heritage Statement suggests that, when both the negatives and positives of the proposed scheme are considered overall, the impact on the heritage assets is a positive one. It concludes that whilst there is ‘limited harm’ to the significance of St Mary’s Church and The Priory due to the impact of the development on views from the west side of the churchyard, the removal of existing poor quality development and the opportunity to enhance views of the church from Church Street provides heritage benefits to balance out this harm.

It is considered that the removal of the existing poor quality built form on the site does provide an opportunity to enhance the appearance of the conservation area in this location, and to open up new views towards the church. The opportunity to improve the streetscene could also enhance the settings of the K6 telephone kiosk and war memorial.

However, the height and massing of the proposed building will remove views of the church tower and spire from the southern end of Church Street and from the south to the rear of Batchworth House looking north. Also, the proposed building will be intrusive to the ‘leafy semi-rural backdrop’ of the church and The Priory in views looking south from the west side of the church and from the front elevation of The Priory. The intrusion of the proposed building into these views is considered to be harmful (as per the findings of the Heritage Statement) and further efforts should be made to mitigate this harm through revisions to the design, scale and materiality of the proposed building.

The sketch view of the proposal from the west side of the church towards the site within the Design and Access Statement (page 16) shows how intrusive the proposed building will be to the setting of the church from this viewpoint (where the Heritage Statement identifies harm). The fussiness of this section of the building with varied building elements and roof forms (including dormers, gablet, half hip, full hips) detracts further from the setting of the church by not only removing a verdant backdrop, but also introducing a cluttered elevation. This element of the building should, at least, be lowered in height and vastly simplified in design in order to mitigate its impact. A reduction in building height along the entire length of the building could assist in preserving views from the south of Church Street of the church tower and spire, thereby mitigating some of the harm.

The opportunities noted above have not been fully realised in the proposed design which does not relate well to the character or appearance of the conservation area. As noted by Council officers previously, the site is a transition point between the large building of Batchworth Court into the predominantly two storey historic streets of the town, in which the height and prominence of the church is a key landmark. The opportunity to create an

attractive and characterful 'gateway' building into the conservation area, whilst also respecting the landmark quality of the church, has not been realised in the current design. The ashlar-lined ground floor and monotone buff bricks do not relate to the prevailing vernacular materials within the conservation area where soft reds and yellow stocks predominate. The front elevation with central pediment feature, large arched entrance and large mullioned windows appears quite formal and almost industrial in character; this character is perpetuated by the long flank elevations with unusual projecting half dormers, regular fenestration, and large glazed panels creating a warehouse-like appearance. The 'Heritage Influences' contained within the Design and Access Statement depict some of the buildings along Wharf Lane, however, these are more suited to their location on what was the Town Wharf, a historic industrial area. More references from the vernacular domestic architecture along Church Street should be considered. Scheme B (within the Design and Access Statement) appears to be slightly more sympathetic to the appearance of the conservation area, other than the black timber cladding.

As proposed, it is accepted that there are some enhancements arising from the removal of existing buildings on the site and moving the built form away from the church and telephone kiosk, however, these benefits do not outweigh the harm to the conservation area or the listed buildings. It is considered that the design and massing are inappropriate and further steps should be taken to make full advantage of the opportunities of redeveloping the site and to better mitigate the harm caused.

The proposal results in 'less than substantial' harm to the significance of Rickmansworth Conservation Area, St Mary's Church and The Priory, as per paragraph 196 of the NPPF. Regard should also be given to paragraph 193 which affords great weight to the conservation of heritage assets, and paragraph 200 which states that LPAs should look for opportunities for new development to enhance or better reveal the significance of conservation areas. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 also requires attention to be paid to the desirability of preserving or enhancing a conservation area's character or appearance."

Comments on amended scheme:

"The design of the proposed building has been revised to reflect some previous comments and it is now more sympathetic to the area. Concerns about the height and massing of the building remain in regard to the impact of the proposal on the setting of St Mary's Church. However, it is understood that the internal space requirements and room numbers needed have necessitated a building of this scale.

The Heritage Statement suggests that, when both the negatives and positives of the proposed scheme are considered overall, the impact on the heritage assets is a positive one. It concludes that whilst there is 'limited harm' to the significance of St Mary's Church and The Priory due to the impact of the development on views from the west side of the churchyard, the removal of existing poor quality development and the opportunity to enhance views of the church from Church Street provides heritage benefits to balance out this harm.

There are some heritage benefits arising from the proposal. The removal of the existing poor quality built form on the site enhances the appearance of the conservation area in this location, and opens up new and enhanced views towards the church. There is also an enhancement of the settings of the K6 telephone kiosk and war memorial (both Grade II listed).

However, the height and massing of the proposed building will still result in the loss of some views of the church tower and spire from the southern end of Church Street and from the south to the rear of Batchworth House looking north (although this is a lower quality view across a car park). Also, the proposed building remains intrusive to the 'leafy semi-rural

backdrop' of the church and The Priory in views looking south from the west side of the church and from the front elevation of The Priory.

The intrusion of the proposed building into these views is considered to be harmful (as per the findings of the Heritage Statement). The amended scheme does include revisions to mitigate this harm to some degree, including a simplification of the form of the rear of the building which certainly lessens its impact in views from the church.

The materiality and fenestration design have been revised to better reflect the locality. Two tonnes of red brick and rendered gables pick up on local traditional materials and break up the elevations. The materials (including sample panels of brickwork) should be reserved by condition to ensure they are high quality to reflect the historic building stock in the wider area and throughout the conservation area. There are opportunities to add more texture and interest to the elevations through brickwork detailing. Roof tiles should also reflect the prevailing traditional characteristics of the conservation area with natural slate used rather than an artificial alternative.

It is still considered that there is a low level of 'less than substantial' harm arising from the proposals due to the building's height and massing impacting on views towards and from the church, as discussed above. There are, however, some heritage benefits arising from the demolition of the existing buildings including improvements to the settings of the Grade II listed K6 telephone kiosk and war memorial, as well as opening up new views of the church from the front of the site. A residual degree of 'less than substantial' harm at the lower end of the scale remains and paragraph 196 of the NPPF remains a relevant consideration (in relation to the balancing exercise of less than substantial harm and public benefits).

If the application is approved, it is recommended that the following conditions (or similar) are applied:

- *Samples and details of the types, colour and finish of all external materials, including hard surfacing and boundary treatments, shall be submitted to and approved in writing by the Local Planning Authority prior to their first use on site.*
- *Sample panels of brickwork, at least 900mm x 900mm, to show the brick bond, pointing profile, mortar colour and any decorative brickwork features, shall be made available for inspection on site and approved in writing by the Local Planning Authority prior to the construction of any brick walling. The sample panels shall be retained on site for the duration of the development and the works carried out in accordance with the approved sample panels.*
- *Additional drawings of new windows, doors, eaves, verges, cills and balcony balustrades, in section and elevation at a scale between 1:1 and 1:20 as appropriate, shall be submitted to and approved in writing by the Local Planning Authority prior to their first installation or construction on site."*

4.1.4 Historic England: [No objection]

"On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser. It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals."

4.1.5 Local Lead Flood Authority (LLFA): [Objection]

"The Flood Risk Assessment carried out by SLR reference 425.05039.00008 v10, dated January 2020, and the information submitted in support of this application does not currently provide a suitable basis for an assessment to be made of the flood risk arising from the proposed development. In order for the Lead Local Flood Authority to advise the relevant

Local Planning Authority that the site will not increase flood risk to the site and elsewhere and can provide appropriate sustainable drainage techniques, the following information is required as part of the flood risk assessment/surface water drainage strategy:

- 1. Clarification of feasibility of proposed surface water discharge mechanism.*
- 2. Clarification of proposed attenuation features located in flood zones.*

Overcoming our objection

To address the above points, please see the below comments:

1. We understand that the proposed drainage strategy is based on attenuation via a geocellular storage tank and permeable paving before discharge to an existing ordinary watercourse on site with a storm water attenuation pond for overflow. The ordinary watercourse is proposed to be diverted with boulders to be placed on the outside of the bend to provide erosion protection. We are pleased to see the scheme is in line with our pre-application advice provided to the applicant in 2019, however we will require further clarification in terms of the proposed realignment/diversion of the watercourse to assess the feasibility of the proposed scheme. This will include whether there is sufficient capacity in the channel to take the proposed surface water discharge rate and volumes from the site. We acknowledge that the process of obtaining ordinary watercourse consent is separate from planning applications, however we do not currently have enough information to form a reasonable assumption that consent would be granted and as connection to the watercourse is the main discharge mechanism, we cannot confirm the feasibility of the scheme.

We understand that the ordinary watercourse on the site connects to a main river which as part of the proposed diversion, will likely require improvement of connectivity to ensure feasible discharge capacity.

Additionally, we note that the submitted Proposed Surface Water Drainage Strategy (carried out by SLR, ref: 002, Rev 2, dated: June 2019) appears to indicate that the stormwater pond is connected to the ordinary watercourse which will require clarification.

2. We understand that a significant area of the site is located in flood zones 2 and 3 and that the proposed geo-cellular storage tank has been located in this area within flood zone 2 and partially in flood zone 3. In principle, no storage should be provided within flood zone 3 as sufficient storage for the 1 in 100 rainfall event + climate change cannot be provided. In relation to flood zone 2, we will require clarification as to whether sufficient storage will be available within the proposed SuDS features to account for both a fluvial event and site drainage. Any amendments or discussions surrounding flood zones should be addressed directly with the Environment Agency.

We note that the proposed drainage strategy includes the diversion of a major Thames Water surface water sewer. Therefore, an agreement in principle for the proposed diversion should be submitted to support the proposed drainage strategy. If the applicant suspects decommission of this sewer, we would advise that this is clarified with Thames Water.

As we have mentioned above, there is an existing ordinary watercourse crossing the development site. The proposed drainage strategy includes the diversion of the watercourse and connection of the proposed drainage on site into the ordinary watercourse. Therefore, detailed drawings of any proposed structures affecting ordinary watercourses and an impact assessment to demonstrate there will be no increase in flood risk should be provided. A statement acknowledging there is a requirement for consent from HCC under Section 23 of the Land Drainage Act 1991 should be included as well.

We would like to advise that any works taking place within the ordinary watercourse may require prior written consent from the Hertfordshire County Council under Section 23 of the

Land Drainage Act 1992. This includes any permanent and/ or temporary works regardless of any planning permission.”

Additional comments following re-consultation: [Objection]

“We acknowledge that the LPA has received email correspondence from the applicant (dated: 02.03.2020) in response to our last comments (dated: 28.02.2020), however due to the absence of information, we will be maintaining our previous position.

We note that the applicant has raised concerns the LLFA did not previously comment on the final version of the Flood Risk Assessment (FRA), however we can confirm that our response was based on the FRA carried out by SLR reference 425.05039.00008 v10, dated January 2020. We understand that this confusion was due to our references to a storm water attenuation pond included on version 001 of the Drainage Plan. Following clarification, the pond is no longer proposed however we would ask that the applicant makes it clear that this drainage plan is now superseded in the drawings section (page 54) in the attached appendices for the updated FRA (v10).

It is understood that proposed discharge mechanism from the geocellular storage is via a hydrobrake with a maximum discharge rate of 1l/s into the ordinary watercourse. We are happy in principle with the proposed discharge rate of 1l/s however we have concerns surrounding the volume of water entering the watercourse from the diverted Thames Water sewer as this may be significantly greater than the current capacity of the watercourse. We will therefore require further clarification as to the volumes entering the watercourse from the sewer as well as cross sections and long sections of the connection points.

In our previous response (dated: 28.02.2020), we expressed concerns that a significant area of the site is located within flood zones 2 and 3 including the proposed geo-cellular storage tank. Following clarification, we understand that the area benefits from protection by flood defences. In relation to half drain down times, we would recommend less than 24 hours in order to cater for successive extreme rainfall events.

We note that the submitted FRA describes the proposed reedbed area as incorporating a forebay for silt management however this is not indicated on the Proposed Surface Water Drainage Strategy (carried out by SLR, ref: 002, Rev 2, dated: June 2019) or whether the reedbed is connected to the watercourse as there appears to be no headwall at this location. Additionally, we understand that the diversion of the watercourse will include boulders placed on the outside of the bend to provide erosion protection, however drawings showing the detailed design of these features have not been submitted. We will require clarification on all of the above in order to be confident that Ordinary Watercourse consent can be achieved and that the proposed modifications to the ordinary watercourse do not present additional flood risk to the site.

The proposed drainage strategy includes the diversion and connection of the proposed drainage on site into the ordinary watercourse. Therefore, detailed drawings and design of any proposed structures affecting the ordinary watercourse as well as an impact assessment to demonstrate there will be no increase in flood risk should be provided. This should also include cross-sections and long sections of the revised channel and proposed connection points. A statement acknowledging there is a requirement for consent from HCC under Section 23 of the Land Drainage Act 1991 should be included as well.

In order to confirm the feasibility of the proposed drainage scheme, we will require the information requested above in order to form a reasonable assumption that consent would be granted and that the modifications proposed do not represent any additional flood risk to the site or its immediate surrounds. Fundamentally, the proposed connections to the ordinary watercourse and the diversion/modifications are an integral part of the drainage strategy for the site and therefore as LLFA, we need to be confident that Land Drainage

Consent is likely to be given at the planning application stage. Additionally, we are aware that no detailed design or modelling has been submitted for the modified watercourse channel as part of this application. Due to the absence of information, we cannot confirm the feasibility of the scheme.”

4.1.6 Environment Agency: [No objection, subject to conditions]

Thank you for consulting us on this application. Having reviewed the information submitted we have the following conditions we would like to be applied to the grant of any planning permission. Without these conditions, we would object to the proposal in line with paragraph 170 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Condition 1

No development approved by this planning permission> shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:

- all previous uses;*
- potential contaminants associated with those uses;*
- a conceptual model of the site indicating sources, pathways and receptors; and*
- potentially unacceptable risks arising from contamination at the site.*

1. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

2. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reasons: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution in line with paragraph 170 of the National Planning Policy Framework. To prevent further deterioration of a water quality element to a lower status class and prevent the recovery of a drinking water protected area.

The previous mixed industrial use of the proposed development site presents a medium-high risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site:

- is within Source Protection Zone 1 for the public water supply*
- is located upon Secondary aquifer in hydraulic continuity with the underlying Principal aquifer.*

The documents referenced above submitted in support of this planning application provides us with confidence that it will be possible to suitably manage the risk posed to controlled

waters by this development. Further detailed information will however be required before built development is undertaken. It is our opinion that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the Local Planning Authority.

In addition, the Thames river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the impact of contamination cause deterioration of a water quality element to a lower status class for the surface water course and prevent the recovery of a drinking water protected area in the Mid-Chilterns Chalk (GB40601G601200).

Condition 2

Prior to any part of the permitted development/ each phase of development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reasons: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework. To prevent further deterioration of a water quality element to a lower status class and prevent the recovery of a drinking water protected area.

Condition 3

The development hereby permitted may not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reasons: To ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 170 of the National Planning Policy Framework. To prevent further deterioration of a water quality element to a lower status class and prevent the recovery of a drinking water protected area.

Condition 4

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution from previously unidentified contamination sources at the development site in line with paragraph 170 of the National Planning Policy Framework. Intrusive investigations will not necessarily capture all contaminants present, hence the need to appropriately address any new source discovered during excavation and development.

Condition 5

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems

must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution caused by mobilised contaminants in line with paragraph 170 of the National Planning Policy Framework. To prevent further deterioration of a water quality element to a lower status class and prevent the recovery of a drinking water protected area.

Advice to applicant and LPA:

Given the previous land use we do not believe that the use of infiltration SuDS is appropriate in this location.

Condition 6

Piling/ deep footings/ investigation boreholes/ground source heating and cooling systems using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reasons: To ensure that the proposed intrusive activity does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework and the Environment Agency's approach to groundwater protection, February 2018 Version 1.2 <https://www.gov.uk/government/publications/groundwater-protection-position-statements>

To prevent further deterioration of a water quality element to a lower status class and prevent the recovery of a drinking water protected area.

Piling and deep footings, investigation boreholes, ground source heating and cooling systems using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways.

Condition 7

A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.

Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 170 of the National Planning Policy Framework and The Environment Agency's Approach to Groundwater Protection February 2018 Version 1.2 <https://www.gov.uk/government/publications/groundwater-protection-position-statements>

Flood risk activity permit information

The section of river proposed to be realigned is part of the detailed river network but not designated Main River. However, the applicant will need a permit for the works.

Informative: *The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place: on or within 8 metres of a main river (16 metres if tidal) on or within 8 metres of a flood defence structure or culvert (16 metres if tidal) on or within 16 metres of a sea defence involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence)*

or culvert in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission. For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Advice to applicant regarding the above conditions

Condition 1

The reason we have included all four parts of this condition despite the submitted information is that the following need to be addressed:

1. The conceptual site model (CSM) also needs to consider the proposed foundations and drainage designs
2. The assessment of risk also needs to consider the activities during the construction phases
3. Please provide the RTM Excel spreadsheets to support the DQRA.

Condition 2

The verification plan should include proposals for a groundwater-monitoring programme to encompass regular monitoring for a period before, during and after ground works. (E.g. monthly monitoring before, during and for at least the first quarter after completion of ground works, and then quarterly for the remaining 9-month period.) The verification report should be undertaken in accordance with our guidance **Verification of Remediation of Land Contamination** <http://publications.environment-agency.gov.uk/pdf/SCHO0210BRXF-e-e.pdf>

Condition 6

Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. A piling risk assessment and appropriate mitigation measures should be submitted with consideration of the EA guidance. During piling works (especially if the piles extend to the Chalk within SPZ1 saturated zone) due to the proximity of nearby potable abstractions the weekly groundwater monitoring for insitu parameters and turbidity should be considered. <http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/scho0202bisw-e-e.pdf>

Condition 7

The submitted planning application indicates that boreholes will need to be installed at the development site to investigate groundwater resources and carry out soakage tests. If these boreholes are not decommissioned correctly they can provide preferential pathways for contaminant movement which poses a risk to groundwater quality.

Please find more information in our archived guidance pages: https://webarchive.nationalarchives.gov.uk/20140328154120/http://cdn.environment-agency.gov.uk/LIT_6478_8cbe6f.pdf

Model Procedures and good practice

We recommend that developers should:

1. Follow the risk management framework provided in the updated guide is called Land contamination: risk management (LCRM), when dealing with land affected by contamination.
2. Refer to the Environment Agency Guiding principles for land contamination for the type of information that we required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.

3. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed. <https://www.clare.co.uk/projects-and-initiatives/nqms-sqp-register> The Planning Practice Guidance defines a "Competent Person (to prepare site investigation information): A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation." (<http://planningguidance.planningportal.gov.uk/blog/policy/achieving-sustainable-development/annex-2-glossary/>)"

4. Refer to the contaminated land pages on GOV.UK for more information.

1. We expect the site investigations to be carried out in accordance with best practice guidance for site investigations on land affected by land contamination.

E.g. British Standards when investigating potentially contaminated sites and groundwater, and references with these documents and their subsequent updates:

- BS5930:2015 Code of practice for site investigations;
- BS 10175:2011 A2:2017 Code of practice for investigation of potentially contaminated sites;
- BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points;
- BS ISO 5667-11:2009, BS 6068- 6.11: 2009 Water quality. Sampling. Guidance on sampling of groundwaters (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns but more may be required to establish the conceptual site model and groundwater quality. See RTM 2006 and MNA guidance for further details).
- BS ISO 18512:2007 Soil Quality. Guidance on long-term and short-term storage of soil samples
- BS EN ISO 5667:3- 2018. Water quality. Sampling. Preservation and handling of water samples
- Use MCERTS accredited methods for testing contaminated soils at the site.
- Guidance on the design and installation of groundwater quality monitoring points Environment Agency 2006 Science Report SC020093 NB. The screen should be located such that at least part of the screen remains within the saturated zone during the period of monitoring, given the likely annual fluctuation in the water table. In layered aquifer systems, the response zone should be of an appropriate length to prevent connection between different aquifer layers within the system

A Detailed Quantitative Risk Assessment (DQRA) for controlled waters using the results of the site investigations with consideration of the hydrogeology of the site and the degree of any existing groundwater and surface water pollution should be carried out. This increased provision of information by the applicant reflects the potentially greater risk to the water environment. The DQRA report should be prepared by a "Competent person" E.g. a suitably qualified hydrogeologist. <https://sobra.org.uk/accreditation/register-of-sobra-risk-assesors/> In the absence of any applicable on-site data, a range of values should be used to calculate the sensitivity of the input parameter on the outcome of the risk assessment.

- GP3 version 1.1 August 2013 provided further guidance on setting compliance points in DQRAs. This is now available as online guidance: <https://www.gov.uk/guidance/land-contamination-groundwater-compliance-points-quantitative-risk-assessments>
- Where groundwater has been impacted by contamination on site, the default compliance point for both Principal and Secondary aquifers is 50m.
- For the purposes of our Approach to Groundwater Protection, the following default position applies, unless there is site specific information to the contrary: we will use the

more sensitive of the two designations E.g. if secondary drift overlies principal bedrock, we will adopt an overall designation of principal.

Where leaching tests are used it is strongly recommended that BS ISO 18772:2008 is followed as a logical process to aid the selection and justification of appropriate tests based on a conceptual understanding of soil and contaminant properties, likely and worst-case exposure conditions, leaching mechanisms, and study objectives. During risk assessment one should characterise the leaching behaviour of contaminated soils using an appropriate suite of tests. As a minimum these tests should be:

- upflow percolation column test, run to LS 2 – to derive kappa values;
- pH dependence test if pH shifts are realistically predicted with regard to soil properties and exposure scenario; and
- LS 2 batch test – to benchmark results of a simple compliance test against the final step of the column test.

Following the DQRA, a Remediation Options Appraisal to determine the Remediation Strategy in accordance updated guide is called Land contamination: risk management (LCRM). The verification plan should include proposals for a groundwater-monitoring programme to encompass regular monitoring for a period before, during and after ground works. E.g. monthly monitoring before, during and for at least the first quarter after completion of ground works, and then quarterly for the remaining 9-month period.) The verification report should be undertaken in accordance with in our guidance **Verification of Remediation of Land Contamination** <http://publications.environment-agency.gov.uk/pdf/SCHO0210BRXF-e-e.pdf>

1. Where SUDs are proposed; infiltration SUDs should not be located in unsuitable and unstable ground conditions such as land affected by contamination or solution features. Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should have a suitable series of treatment steps to prevent the pollution of groundwater. For the immediate drainage catchment areas used for handling and storage of chemicals and fuel, handling and storage of waste and lorry, bus and coach parking or turning areas, infiltration SuDS are not permitted without an environmental permit. Further advice is available in the updated CIRIA SUDs manual http://www.ciria.org/Resources/Free_publications/SuDS_manual_C753.aspx USTs
2. The Environment Agency recommends the **removal of all** underground storage tanks (USTs) that are unlikely to be reused. Once the tanks and associated pipelines have been removed, samples of soil and groundwater should be taken to check for subsurface contamination. If soil or groundwater contamination is found, additional investigations (possibly including a risk assessment) should be carried out to determine the need for remediation. Refer to 'Pollution Prevention Advice and Guidance on Storing and handling materials and products' <https://www.gov.uk/government/publications/underground-storage-tanks-ppg27-prevent-pollution> and 'Defra - The Groundwater Protection Code: Petrol stations and other fuel dispensing facilities involving underground storage tanks - for England and Wales' <http://archive.defra.gov.uk/environment/quality/water/waterquality/ground/documents/groundwater-petrol.pdf> specifically those sections relating to decommissioning redundant underground fuel storage tanks and infrastructure.

4.1.7 Hertfordshire County Council – Highway Authority: [No objection, subject to Section 106, conditions and informatives]

Comments / Analysis:

The application comprises of the outline planning application for the demolition of existing garage and buildings and construction of a 75-bed care home (class C2) at 44 Church

Street, Rickmansworth. Church Street is designated as an unclassified local distributor road, subject to a speed limit of 30mph and is highway maintainable at public expense. There are footways on either side of Church Street, although the footway fronting the site is limited due to extended vehicle crossovers (VXOs) / dropped kerbs. There is no footway on the west side of Church Street to the north of the site although the footway does lead to public footpath Rickmansworth 068, which runs through the church yard and provides a pedestrian links between the breaks in footway provision.

A Transport Assessment has been submitted as part of the application.

Access:

There are two existing VXOs / dropped kerbs leading to the garage site. The proposals include closing the existing accesses and creating one formalised bellmouth access leading to a 5.5m access road, parking and turning area, the details of which are shown on submitted drawing no. PL_100 C. The proposed access design is of an acceptable width to enable two vehicles to pass one another and the designs are in accordance with design criteria as laid out in Roads in Hertfordshire: Highway Design Guide. The bellmouth would need to have a minimum kerb radii of 6m. Visibility splays of 2.4m by 43m on either side of the proposed access point are shown to be available as shown on drawing number 69005-TS-001. Although it is acknowledged that the north part of the northern visibility splay is offset due to the bend in the road, HCC as Highway Authority considers that these levels are acceptable when taking into consideration the speed and nature of the highway and that it is an improvement to an existing access.

A formalised bellmouth has been proposed at the access, which would need to be constructed with tactile paving on the footway either side of each entrance – designed and built in accordance with HCC's guidelines and specifications. A bellmouth rather than a standard VXO would be appropriate for the size of the development. The applicant would need to enter into a Section 278 Agreement with HCC as Highway Authority in relation to the works that would be needed on highway land including:

- Works to create the bellmouth entrance, with a minimum kerb radii of 6m on either side.*
- Tactile paving on the footway either side of each access, laid out in accordance with standards laid out in Guidance on the use of Tactile Paving Surfaces.*
- Give way lines.*
- The reinstatement of full height kerb / removal of dropped kerbs no longer required and reinstatement of footway at the remainder of the front of the site.*
- Bus stop sign and any associated bus stop improvement works for the currently unmarked bus stop fronting the site.*

Prior to applying to enter into a Section 278 Agreement with the Highway Authority, the applicant would need to provide the extra information as requested and obtain an extent of highway plan to clarify the works which would be within the existing highway. Please see the above conditions and informatives.

Vehicle parking & manoeuvrability:

The application includes the provision of 25 car parking spaces, the layout of which is shown on drawing no. PL_100C and includes two disabled parking spaces. The layout of the parking area is considered to be acceptable and is in accordance with Manual for Streets (MfS) (Section 8.3.48/8.3.48). Following consideration of the location (zone 2 of TRDC's accessibility zones) and existing parking restrictions on Church Street, the level is considered to be acceptable by HCC as Highway Authority.

TRDC is the parking authority for the district and therefore would ultimately need to be satisfied with the level of parking.

The proposals include a turning area, which would be necessary to ensure that all vehicles using the site would need to be able to easily and safely turn around on site and egress in forward gear to the highway. Swept path analysis for a 7.5t panel van and 4.6t light van have been included as part of the submitted Transport Assessment, the details of which are considered to be sufficient and acceptable by HCC as Highway Authority.

Trip generation:

The existing and proposed levels of trips are outlined in the submitted Transport Assessment.

Following consideration of the anticipated number of trips, which are broadly similar to current use and improvements to an existing access, the trip generation and any associated impacts would not be significant enough to recommend refusal from a highways perspective.

Sustainable travel & accessibility:

The site lies in the town of Rickmansworth, approximately 150m to 500m from the town centre within a reasonable walking distance and accessible via existing pedestrian footways and footpaths. The nearest railway station is Rickmansworth, which is located approximately 670m from the site and within a reasonable walking and cycling distance.

There is an unmarked bus stop directly to the front of the site and a marked bus stop just south of the site on the opposite side of the road. These bus stops are served by the limited R1/R2 services (x5/day Mon-Fri). More frequent bus services are available within the High Street, but due in part to the one-way system around the town centre, only one stop (for westbound services) is within 400m of the site. The eastbound stop is approximately 630m from the site. There are several routes available, the most frequent being the 320 (Hemel-Rickmansworth Mon-Sat x2/hr, Sun hourly) and 520 routes (Maple Cross-Watford Mon-Sat x2/hr, no Sun) giving access to Maple Cross, Watford and Hemel Hempstead.

Following consideration of the size and use of the development and to ensure that sustainable transports options for residents and employees are encouraged and maximized, developer contributions of £6000 are sought via a Section 106 Agreement towards supporting the implementation, processing and monitoring of a full travel plan including any engagement that may be needed. For further information please see the following link <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> OR by emailing travelplan@hertfordshire.gov.uk

Planning Obligations:

This development is situated within TRDC's Community Infrastructure Levy (CIL) area. Therefore contributions towards local transports schemes as outlined in HCC's Growth & Transport Plan would be sought via CIL if appropriate.

Refuse / Waste collection:

An on-site bin/recycling store has been proposed within 30m of each dwelling and within 25m of the collection point from the highway, which is acceptable and in accordance with MfS and Roads in Hertfordshire. The applicant has confirmed that waste collection vehicles would not enter the site and collection would be made from the highway on Church Street. HCC as Highway Authority would not have any significant objection to the proposals as the arrangements have been approved by TRDC as waste collection authority and the submitted details confirm that collection would be made between the hours of 6am and 7am on a weekday (therefore avoiding peak hours).

Emergency vehicle access:

Due to the size and nature of the proposals, as part of the highway authority's assessment of this planning application we have identified emergency access issues which may benefit

from input from Herts Fire and Rescue. Therefore, details of the proposal have been passed to them for attention.

This is to ensure that the proposals are in accordance with guidelines as outlined in MfS, Roads in Hertfordshire; A Design Guide and Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellinghouses.

Conclusion:

HCC as Highway Authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the surrounding highway. The applicant would need to enter into a Section 278 Agreement with HCC to cover the technical approval of the design, construction and implementation of the highway works at the accesses to the site. Therefore HCC has no specific objections on highway grounds to the outline application, subject to the inclusion of the above planning conditions and informatives.

4.1.8 Herts & Middlesex Wildlife Trust: [No comments received. Any comments received will be verbally updated at the Committee meeting]

4.1.9 Hertfordshire Minerals and Waste: [No objection, subject to condition]

“Operational Waste Site:

The District Council should be aware that there is an operational waste site (Household Waste Recycling Centre Rickmansworth) within 150m from the proposed development. The proximity of an existing, operational waste site does not appear to have been taken into account in the Design and Access Statement submitted with the application or any other supporting document. This permanent waste facility is safeguarded under Waste Policy 5 of the Waste Core Strategy and Development Management Policies document (adopted 2012) due to its important contribution to the strategic network of waste management provision in the county and is essential to the current and future waste management of local authority collected waste in the county. County of opportunity

The county council seeks to oppose residential development that may have a negative effect on a continuing waste operation. It is considered that an appropriate buffer should be applied around HWRC Rickmansworth to ensure that the waste site can operate in association with any nearby housing developments.

Although the county council’s adopted Waste Core Strategy and Development Management Policies document does not stipulate a distance whereby other development in close proximity to a safeguarded waste site should be discouraged, the 2004 ODPM document: Planning for Waste Management Facilities: A Research Study states that for waste transfer stations: “sites closer than 250m from residential, commercial or recreational areas should be avoided.”

Consideration should be given to the ‘Agent of Change’ principle (NPPF, paragraph 182) which states that planning decisions on new developments should ensure integration with existing business such that they do not have unreasonable restrictions placed upon them. The district council would need to satisfy itself that the design of the proposed 74-bed care home has taken into account the need to mitigate any negative impacts (such as noise and dust) arising from the proximity to the HWRC.

It is unclear from the documents submitted whether the design of the proposed care home has taken into account the proximity of the HWRC. Noise reduction measures, such as triple-glaze windows, may mitigate impacts from local roads and the HWRC. The HWRC site itself is already restricted in its operating from 1000-1800 hours and is closed Tuesday and Wednesday.

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 also identifies superficial sand/gravel deposits in the area on which the application falls.

Furthermore, the Preliminary Geotechnical Assessment submitted alongside the application identified the made ground to comprise of black silty clay, black sandy silt and black sandy gravel, containing brick fragments, nails, metal and glass to depths of between 1.40 and 1.91m below ground level (bgl).

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 County of opportunity 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 finite resources.

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.

The Ministry of Housing, Communities and Local Government (MHCLG) sets out in the National Planning Policy for Waste (October 2014) 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; & County of opportunity

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 or Circular Economy Statement 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.”

4.1.10 Hertfordshire Ecology: [No objection, subject to conditions]

“Thank you for consulting Hertfordshire Ecology on the above. The application site comprises a petrol garage, MOT garage, car showroom and other associated buildings on hardstanding. There is an open channel watercourse at the south-west of the site, and several trees including some mature trees on the western boundary. There are records of roosting bats in the vicinity.

I am pleased to see an ecology letter-report (by AA Environmental Limited, 31 January 2019) has been submitted in support of this application. The site was visited on 22 January 2019 to assess the habitats present and search for signs of protected / notable species. The buildings and trees were assessed for their potential to support roosting bats.

The site was considered to have limited ecological interest. I understand that some trees on site will be removed; however these will be replaced with trees including native species. The watercourse was dry at the time of survey. A stand of Japanese knotweed was discovered in the south-west corner. This plant is listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended), which means it is illegal to plant or otherwise cause it to spread into the wild.

The report provides an adequate assessment of the impact of the proposals and is based on appropriate survey methods and effort. The likelihood of an adverse ecological impact is negligible-low, but the report suggests reasonable precautionary measures to ensure that legally protected species are not harmed. These proposals are reasonable and should be followed in their entirety (see Conclusions and Recommendations in the ecology report).

I welcome the external lighting plan that has been submitted, which shows the use of downward pointing LED bulbs and low level LED bollard lights that will minimise light spill and direct light away from boundary vegetation.”

4.1.11 Hertfordshire Archaeology: [No objection]

“The proposed development site is in close proximity to the medieval church of St Mary, and adjacent to an Area of Archaeological Significance. While the site is further south than the known extent of medieval Rickmansworth, it can be assumed that it has some archaeological potential, specifically for medieval remains.

However the accompanying geotechnical borehole survey shows modern made ground present on site to a depth of a minimum of 1.4m. Archaeological deposits are unlikely to survive but, if present, are likely to have been disturbed or to exist only at great depth.

In this instance, therefore, I consider that the proposal is unlikely to have a significant impact on heritage assets of archaeological interest, and I have no comment to make.”

4.1.12 Hertfordshire Footpath Section: [No objection]

“I have noted the revised drawings with reference to the junction of Footpath 68 and the proposed ornamental iron railing at the junction of the footpath, it would appear that the railing may obstruct the definitive line of the path.

I would be grateful if you would contact my office as we are concerned about the detail of this proposal in relation to the Definitive Rights of Way network that bound the site and we need clarity from the developer that the proposal will not obstruct these routes

Further to my earlier email I have attached a copy of the Definitive map in more detail, my concern relates to both 28 & 68 in relation to the proposed boundary treatments, particularly as FP 68 connects with a permissive path that follows the western side boundary crossing the culverted drainage ditch shown on the map layer below.”

Officer comment:

Officers clarified with the department that the proposed boundary treatments would be wholly within the application site and would not in any way obstruct nearby local rights of way.

4.1.13 Canal & River Trust: [No objection]

“No comments to make.”

4.1.14 Thames Water: [No objection]

“Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Thames Water would advise that with regard to SURFACE WATER network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

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-yourdevelopment/Working-near-or-diverting-our-pipes.>”

4.1.15 National Grid: [No objection]

4.2 **Public/Neighbour Consultation**

4.2.1 Number consulted: 67

4.2.2 No of responses received: 4 neutral comments (include from St Mary's Church and The Chiltern Society).

4.2.3 Site Notice: Expired 03.03.2020.

4.2.4 Press Notice: Expired: 28.02.2020.

4.2.5 Summary of Responses:

- Concerns with planting trees/hedging/fences where they abut the Church extension undermining foundations etc.
- Fencing unnecessary where it abuts the Church extension
- Improvement on the site and a benefit to the town
- Wish for assurances that existing trees / shrubs will be retained to the rear
- Building fits the space well and should not overwhelm the surrounding buildings
- View opened up from Church Street
- Room sizes comparable in other care homes
- Good to see large communal lounge areas which can accommodate gatherings for example speakers, this is lacking in other care homes
- Like to see larger gardens but proximity to town makes this less important

Officer comment: The above material planning considerations will be discussed within the following planning analysis sections. However, it should be recognised that the boundary treatments adjacent to St Mary's Church have been amended so no new hard boundary treatments will exist adjacent to the Church extension.

4.2.6 Following changes to the scheme and description all neighbours and consultees were re-consulted for a further 21 days.

4.2.7 Community involvement:

4.2.7.1 The application has been supported by a Statement of Community Involvement which highlights that a public exhibition was held on 4th July 2019 and was attended by 39 residents. The report details that 80% of those attended / submitted feedback forms

endorsed the scheme while concerns were raised in relation to parking, additional traffic generation and the disruption during the development stage.

5 Relevant Planning Policy, Guidance and Legislation

5.1 National Planning Policy Framework and National Planning Practice Guidance

On 19 February 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 2019 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.

5.2 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, CP2, CP3, CP4, CP6, CP8, CP9, CP10, CP12 and CP13.

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 DM1, DM3, DM4, DM6, DM8, DM9, DM10, DM13 and Appendices 2 and 5.

Site Allocations LDD (Adopted 25 November 2014) – SA1 (H(21))

5.3 Other

Rickmansworth Conservation Area Appraisal and Character Assessment (adopted 1993)

South West Hertfordshire Strategic Housing Market Assessment (January 2016).

Affordable Housing Supplementary Planning Document (adopted June 2011).

Evidence for re-instating the Affordable Housing Threshold in Core Strategy Policy CP4: Affordable Housing

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.

Housing Delivery Test Action Plan (August 2019).

Housing Land Supply Update (December 2019).

Planning Practice Guidance (PPG).

6 Reason for Delay

- 6.1 April's Planning Committee was postponed due to the COVID-19 Pandemic.

7 Planning Analysis

7.1 Principle of development

- 7.1.1 The application site is located within Rickmansworth, the Principal Town in Three Rivers with the largest town centre providing a good range of services, facilities and public transport facilities. The area in general is therefore appropriate for continued infilling, primarily on previously developed land, subject to material planning considerations.
- 7.1.2 The application site can be considered previously developed land and is partially allocated for housing for up to 10 homes of which 45% should be affordable (Site Allocation: H(21)). The site allocation relates predominately to the open natured part of the site towards the rear and has a dwelling capacity of 10 with phasing identified for 2021-2026.
- 7.1.3 Policy SA1 of the Site Allocations LDD states that allocated housing sites will be safeguarded for housing development and that sites should be developed at an overall capacity which accords generally with the dwelling capacity given for that site. Additionally, Policy SA1 goes on to state that proposals for the development of sites should have regard to the phasing strategy for the site, Core Strategy CP2 and the latest monitoring information on housing supply which may result in alteration to the indicative phasing of sites through the Annual Monitoring report.
- 7.1.4 Policy CP3 of the Core Strategy states that the Council will promote high quality residential development that respects the character of the District and caters for a range of housing needs. This includes provision of housing for elderly and supported and specialist accommodation which will be encouraged in suitable and sustainable locations.
- 7.1.5 The NPPF at paragraph 117 states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. It goes on to state at paragraph 118 that planning decisions should also give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, derelict, contaminated or unstable land and promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively. At paragraph 122 it states that planning decisions should support development that makes efficient use of land and that local planning authorities should refuse applications which they consider fail to make efficient use of land.

- 7.1.6 As a result it is clear that there is some tension between the housing allocation of part of the application site (which would be required to provide 45% affordable housing for C3 development) and the ability to provide a significant uplift in housing supply for specialist accommodation (residential care home) within an under-utilised brownfield site with superb connections to local amenities, services and transport connections. This tension has been highlighted by the Council's Local Plans section who comment that the provision of a C3 (residential) led scheme would more effectively contribute to meeting the housing need in Three Rivers. This is discussed in more detail below.
- 7.1.7 By approving this development the Council would *potentially* lose out on providing 4.5 (5) affordable housing units on the basis that a policy complaint scheme for 10 dwellings came forward on the housing allocation (it should be noted The Affordable Housing Supplementary Planning Document (SPD) states that Policy CP4 of the Core Strategy is not applied to developments falling within a C2 planning use class, which also follows advice within the PPG). However, importantly, the housing allocation covers only a limited part of the site (excludes the areas of existing built form) which in the Officer's opinion places significant development restrictions on the site, especially when attempting to make the most efficient use of land.
- 7.1.8 The Council's Housing Delivery Test Action Plan makes reference to the fact that *"until a new Local Plan is in place and given the high demand for new homes and the constrained housing land supply, it will be crucial that new developments coming forward make the most efficient use of land."* It is the Officer's view that the current housing allocation would not only promote piecemeal development but at a dwelling capacity of 10, would, given the geographical location of the site and planning constraints, fail to make the most efficient use of land. No affordable housing would come forward within this current application and this would weigh against the development); however this needs to be balanced against whether the proposed scheme would make more efficient use of land.
- 7.1.9 Notwithstanding the above, the PPG makes it clear that local planning authorities will need to count housing provided for older people, including residential institutions in Use Class C2, as part of their housing land supply.
- 7.1.10 Following The Housing Delivery Test 2019 the Council's Core Strategy was considered out-of-date as it was over 5 years old. As a result this has meant that some calculations were made against the Government's local housing need figures which has resulted in a significant increase from the Core Strategy housing targets of 180 dwellings per year to 620 dwellings per year. This increases further when the additional 20% buffer is applied given the significant under delivery of housing over the previous three years. With the buffer applied, the five year housing requirement for the period 1 April 2019 to 31 March 2024 would therefore equate to 740 dwellings per annum.
- 7.1.11 As a result of the current 5 year housing requirement, an uplift in market housing would be a significant material consideration which would weigh in favour of the development. The development proposes 75 units which having regard to the Council's conversion ratio of 1.9:1 (1.9 bedrooms in C2 use 'frees up' 1 open market dwelling) as set out within the Housing Land Supply Update (December 2019), means that the development would provide the equivalent of 39 market dwellings towards the Council's housing need. Whilst the application site covers a far greater area than the housing allocation it is considered that the proposed scheme promotes more effective use of land whilst also creating an uplift towards the general housing need, the latter of which should be given significant weight in favour of the development.
- 7.1.12 The NPPF at paragraph 11 states that where the policies which are most important for determining the application are out-of-date, local planning authorities shall grant permission unless:

- The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.1.13 In relation to this application the relevant “areas of particular importance” include designated heritage assets and areas at risk of flooding which will be discussed within the report.

7.1.14 The application site is also positioned within an excellent location and the PPG highlights that specialist housing should consider the proximity of sites to good public transport, local amenities, health services and town centres. It therefore goes without question that the application site is excellently suited for a residential care home which is another important material consideration in the planning balance which is concluded at section 7.16.

7.2 Is there an identified need?

7.2.1 The proposed development would provide a residential care home facility for both short and long term accommodation for the elderly, those living with dementia and end of life. This is evident from the layout of the development and the services it will provide, thus falling within a C2 planning use.

7.2.2 The PPG makes it clear that the need to provide housing for older people is critical as people are living longer and the proportion of older people in the population is increasing. In mid-2016 there were 1.6 million people aged 85 and over, but by mid-2041, this is projected to double to 3.2 million (Office of National Statistics).

7.2.3 When considering planning applications for elderly accommodation the PPG states that decision makers should consider the location and viability of a development when assessing planning applications for specialist housing for older people and where there is an identified unmet need for specialist housing, local authorities should take a positive approach to schemes that propose to address this need.

7.2.4 The South West Hertfordshire Strategic Housing Market Assessment (SHMA) assesses the future development needs for housing across the housing market area, South West Hertfordshire. Within the report it recognises that a key driver of change in the housing market over the next few years is expected to be the growth in the population of older persons. It also states that the CLG Household projections model assume that the number of people living in the ‘institutional population’ aged 75 remains constant in absolute terms. For those aged 75 and over, the proportion is expected to remain constant, but absolute numbers living within the institutional population (mainly with care and nursing homes) is expected to increase. Table 1 below indicates that there is a potential need in Three Rivers for approximately 593 people in residential care housing over the plan period (2013-2036) with this figure likely to increase to 1,175 up to 2036. The figure over the plan period equates to 26 beds per year in Three Rivers.

	Institutional population aged 75+ (2013)	Institutional population aged 75+ (2036)	Change in institutional population aged 75+
Three Rivers	583	1,175	593
South West Herts	3,307	6,374	3,067

Table 1: Potential Need for Residential Care Housing (SHMA)

7.2.5 During the plan period the Housing Land Supply Update 2019 states that only 112 beds have thus far been delivered in a C2 use within the plan period via the developments listed within table 2. From the data it is evident that the development at 1-6 High View (04/1989/FUL) has accounted for 93 bed spaces, thereby 83% of the total supply thus far.

Application Number	Address	Number of units
99/1337/FUL	17 Rectory Road, Rickmansworth	3
00/0429/FUL	Tanners Wood Close, Abbots Langley	6
03/0601/FUL	Part of land adjacent to 88 Muirfield Road and adjacent to Redwood Close, South Oxhey	8
04/1989/FUL	1-6 High View, Chorleywood	93
07/0614/FUL	Daplemere , Shepherds Lane, Chorleywood	4
07/2508/FUL	Seymour House, 13 - 17 Rectory Road, Rickmansworth	6
11/1265/FUL	Hewlitt Residential Home, Woodside Road Abbots Langley	2
12/1178/FUL	Abbeyfield UK, Greville House Chorleywood Close, Rickmansworth	-10
Total Bedrooms:		112
Total Dwelling Equivalent:		59

Table 2: C2 Completions during the Plan Period 1 April 2001-31 March 2026 (Housing Land Supply Update 2019)

7.2.6 It is acknowledged that other developments are currently under construction across the district which will provide a further 144 beds if completed.

- Chalfont Road (19/0300/FUL) = net gain of +4
- Croxley House (16/096/FUL) = net gain of +31
- Burford House (16/1218/FUL / 20/0660/FUL pending consideration) = net gain of +33
- Carpenders Park Fam (17/1010/FUL) = net gain of +76

7.2.7 Consequently, if the abovementioned developments are completed approximately 256 beds are likely to have been created over the plan period which is yearly rate of 11 beds per year, well below the required 26 beds per year.

7.2.8 The application is further supported by a Need Assessment in relation to the provision of specialist care bed spaces for older people in the District. This Needs Assessment concludes that a more realistic measure of demand and supply in 2022 sees the need increase to 283 and 105 market standard bed spaces in the market (circa 5-mile radius from the proposed care home) and local authority catchment. The Needs Assessment further concludes that:

“People living with dementia are not well catered for, with only around a third of existing care homes in the catchment having dedicated specialist dementia units offering living environments that accord with best practice in caring for people with such requirements. Our analysis indicates there is a significant need for dedicated dementia provision in the catchment “

“We, therefore, conclude that there is both a strong quantitative and qualitative need for the proposed development, to provide high-quality accommodation for the frail elderly and people living with dementia in this location. “

7.2.9 In summary, it is evident that there is an identified need as well as a current undersupply within the district with the need only seeming to increase into the future given the aging population. As a result, the identified need would also weigh heavily in favour of the

development, which as highlighted above, would also count towards the Council's general housing need.

7.3 Design and impact on heritage assets (Rickmansworth Conservation Area and Listed Buildings)

7.3.1 When considering the location of the application site within the Rickmansworth Town Centre Conservation Area, immediately adjacent to the Grade II Listed St Mary's Church and in close proximity to other Listed Buildings and Locally Important Buildings, any development on site must be carefully designed.

7.3.2 The submitted Heritage Statement confirms that within a 250m radius of the application site there are a total of 15 Listed Buildings and 8 Locally Important Buildings, although the latter are located at a sufficient distance to ensure that any development would not harm their significance. The heritage assets which have been identified as having the potential to be affected by the development include:

- Rickmansworth Conservation Area
- The Priory
- St Mary's Church
- War Memorial (located within the Churchyard close to Church Street)
- K6 telephone kiosk (located adjacent to the site)
- The Bury

7.3.3 The NPPF at paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. At paragraph 193 it states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Furthermore, at paragraph 200 it seeks that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

7.3.4 Policy CP1 of the Core Strategy seeks to promote buildings of a high enduring design quality that respect local distinctiveness. Policy CP12 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' and 'conserve and enhance natural and heritage assets'.

7.3.5 Policy DM1 and Appendix 2 of the Development Management Policies document seek to ensure that development does not lead to a gradual deterioration in the quality of the built environment. Appendix 2 of the Development Management Policies LDD sets out that development should not have a significant impact on the visual amenities of the area. Development should not be excessively prominent and should respect the existing character of the dwelling, particularly with regard to roof form, positioning and style of windows and doors, and materials.

7.3.6 Policy DM3 of the Development Management Policies document states that within Conservation Areas development will only be permitted if the proposal is of a design and scale that preserves or enhances the character or appearance of the area and does not harm important views into, out of or within the Conservation Area. In addition, Policy DM3 states that the Council will preserve Listed Buildings and will only support applications where development would not adversely affect their setting.

- 7.3.7 The Rickmansworth Town Centre Conservation Area is characterised by its medieval core based on the High Street and Church Street which comprises a mixture of building styles and dates atypical of urban Victorian development. Development on the application site dates back to 1935 when it was first subdivided from The Bury with buildings constructed throughout the period of 1935 to 1960s.
- 7.3.8 The existing site comprising a collection of uninspiring frontage buildings are considered to negatively contribute to the significance of the Conservation Area and also impact on the setting of St Mary's Church, K6 telephone kiosk, the War Memorial and the appearance of the wider Rickmansworth Conservation Area.
- 7.3.9 St Mary's Church is one of the main focal points of Rickmansworth and has significant historic and architectural interest given its age, three phases of development and the ecclesiastical tower dating from the 17th Century. The Church is also served by a well-defined churchyard boundary with generous green spaces to three sides with key views predominately from Church Street, both on the approach towards the curve in the road and from views southwards from the more built up part of Church Street. Further public views are also possible from Riverside Drive and Batchworth Roundabout but these are restricted, to a certain degree, by mature vegetation.
- 7.3.10 Other notable Listed Buildings include The Priory, a 16th Century two storey church house (now dwelling) which has significant group value with St Mary's Church. To the north west of the application site is The Bury which sits within private grounds which are remnants of the parkland of the historic estate which once existed. This part of the Conservation Area is far more rural in character and characterised by woodland and waterways. The War Memorial and K6 telephone box are also located in close proximity to the front of the application site.
- 7.3.11 With regards to the proposed development, its design has evolved quite considerably from early pre-application discussions where it was made clear that "opening up" views of St Mary's Church and improving its setting and enhancing the wider Conservation Area were of high importance. Officers also noted that the site is a transition point between the large dominant building of Batchworth House into the predominantly two storey historic streets of the town. It was therefore felt an opportunity existed to create an attractive and characterful 'gateway' building into the Conservation Area whilst also respecting the landmark quality of the Church.
- 7.3.12 The initial submission as part of this application comprised a development with an industrial appearance which was considered more suited to the Town Wharf, the historic industrial part of the town. Officers advised that greater consideration should be given to references from the vernacular domestic architecture of Church Street and look at ways to reduce the overall height and bulk of the building.
- 7.3.13 The amended development has undergone various design alterations with a change in external appearance, regular fenestration detailing, removal of the half hipped form forms and the reduction in the extent of crown roof coverage.
- 7.3.14 When considering the impact of the amended development on nearby heritage assets it is recognised that the removal of the existing buildings and its siting, set well in from the northern boundary with the Church and associated courtyard would reveal a significant portion of the Church and improve the churchyard setting. The development will also enhance the setting of the War Memorial and the K6 telephone kiosk. Further, within the Rickmansworth Conservation Area Appraisal it comments on the brick walling around the churchyard and emphasises that the *"attractiveness of the entrance would be further enhanced by brick walling and/or landscaping to the frontages of St Mary's Court and by development at the Batchworth Arms which would respect the character of this entranceway."* This proposal includes the erection of a new 0.9m high brick wall with associated soft landscaping along the entire frontage which would therefore assist in

enhancing the courtyard entrance, setting of the Church and improving the wider appearance and character of the Conservation Area. All the above factors would therefore enhance the setting of heritage assets, better revealing their significance, which would weigh in favour of the development.

- 7.3.15 On the other hand, it is noted that given the siting and height of the development that views of the Church tower and spire from the southern end of Church Street and from the rear of Batchworth House (when standing on Riverside Drive) looking north would be hidden. The development will also have an impact on views from the west side of the Church and from the front elevation of The Priory. Such impacts result in harm to the importance of the heritage assets and thus would need to be balanced against the benefits identified above.
- 7.3.16 Whilst there are understatedly a number of factors which do impact on the Church and The Priory, it is considered that on balance, the way in which the public view the Church from surrounding public vantage points will, on the whole be greatly improved. Further the impact on the setting of The Priory has been reduced by the amended design towards the rear which has been simplified. As such, when viewed holistically it is considered that the development will preserve the setting of the adjacent Listed Buildings in accordance with Policy DM3 of the Development Management Policies LDD.
- 7.3.17 Notwithstanding the above, the development also needs to be considered against its impact on the Rickmansworth Conservation Area. Whilst a number of notable benefits would arise from removing the existing buildings and positioning the building away from the northern boundary, the proposed building is still sizable, especially the western flank projection by virtue of its height and bulk which is exacerbated by the use of crown roofs. From the front, the building is considered acceptable and responds well to the height of the adjacent Batchworth House and the Church ensuring that would not appear unduly prominent to such an extent that would negatively impact on the character and appearance of the Conservation Area. Additionally, the use of local characteristic materials in the design such as slate tiles, a variation in the use of darker coloured brickwork and white painted brickwork (serving the gable features) are considered acceptable and will ensure that a good level of visual interest is provided across the building. Within the site, an appropriate low level lighting design is proposed while there would be a good use of variation within the hard surfaces, especially within the highly visible car park area which is further supported by soft landscaping features. In the event of an approval, conditions pertaining to samples of all external materials including the use of brickwork bonding to enhance the brick detailing further would need to be submitted for approval prior to above ground works.
- 7.3.18 However, as discussed above, the building would nevertheless be sizable and would consume a part majority of the site. Whilst the front would relate well with adjacent neighbouring buildings, the cumulative depth and height of the development would appear somewhat imposing especially from public viewpoints by the entrance into the Church courtyard. Whilst efforts have been undertaken to add more visual interest within the long flank elevation via the use of different materials, there will still be harm to the character and appearance of the Conservation Area given its prominence.
- 7.3.19 In respect of archaeology, the application was supported by an Archaeological Desk Based Assessment which concludes that the site is unlikely to have a significant impact on heritage assets of archaeological interest. There is also no objection from Herts Archaeology.
- 7.3.20 In summary, the development would result in harm to the character and appearance of the Rickmansworth Conservation Area by virtue of its overall scale and prominence. The Conservation Officer has advised that the identified harm would lead to a low level of less than substantial harm to the significance of the Conservation Area. The NPPF at paragraph 196 states that where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The following sections will analysis whether there are any public benefits of the scheme which would outweigh the harm.

7.4 Impact on highway safety and parking

- 7.4.1 The application site is currently served by two existing dropped kerbs. The proposal seeks to close both accesses and create a new single formalised bellmouth. The Highway Authority do not raise any objection to the changes subject to conditions and a section 278 agreement.
- 7.4.2 The Highway Authority have also requested a bus stop sign and any associated bus stop improvement works for the current unmarked bus stop on Church Street given the scale of the development. The applicant has agreed to the improvement works which would be subject to a section 278 agreement. Such works whilst outside the application site are considerable reasonable having regard to the tests laid down within the PPG.
- 7.4.3 With regards to trip generation it is anticipated that the number of trips will be broadly similar to the current use which will ensure that any associated impacts within the local highway network would not be unacceptable.
- 7.4.4 Within the development a delivery bay is proposed which would double up to cater for an ambulance. Tracking diagrams have been provided which show acceptable manoeuvrability within the site.
- 7.4.5 Paragraph 108 of the NPPF states that it should be ensured that appropriate opportunities to promote sustainable transport modes can be, or have been – taken, given the type of development and its location. The application site lies within 150m to 500m from the town centre and is accessible via existing pedestrian footways and footpaths with good connections to Rickmansworth railway station and cycle paths including the Ebury Way. An unmarked bus stop also exists directly to the front of the adjacent site, Batchworth House and serves routes to Maple Cross, Watford and Hemel Hempstead. When considering the application the Highway Authority have commented that given the size and use of the development and to ensure that sustainable transport options for residents and employees are encouraged and maximised, a contribution of £6,000 is sought to support the implementation, processing and monitoring of a full travel plan including any engagement that may be needed. The developer has agreed to pay the amount which will be secured by a section 106 agreement along with the requirement to implement a travel plan.
- 7.4.6 In respect of refuse and waste collection, an on-site bin/recycling store is proposed close to Church Street. Upon collection waste collection vehicles would not enter the site as collection would be made from the highway and tracking diagrams have been provided which clarify that no unacceptable impact would occur to highway safety given the existence of acceptable sight lines. Nevertheless, to avoid highway disruption a Waste Management Plan should be conditioned and include details that collections would be made between the hours of 6am and 7am on a weekday only.
- 7.4.7 In terms of parking levels, the Parking Standards as set out within Appendix 5 of the Development Management Policies LLD states that for C2 elderly persons residential and nursing homes, 0.25 spaces per resident bed space are required plus; 1 space per 2 staff non-resident (parking for resident staff to be based on general needs standard). For disabled parking, the standards for employment generating development is to provide individual spaces for each disabled employee plus 2 spaces or 5% of total capacity, whichever is greater. For cycle parking the standards indicate that there should be provision for 1 short-term space per 20 beds plus 1 long-term space per 10 staff at any one time.
- 7.4.8 The development would provide 25 parking spaces (2 of which would be for disabled users). Based on the number of bed spaces proposed 19 (rounded) parking spaces would be required. A further 1 space per 2 staff non-resident also should be applied. The submitted documentation with the application refers to the fact that for a 75 bed care home with non-resident staffing levels there will be up to 21 on duty at any time thus adding a requirement for a further 11 (rounded) spaces. The total required parking levels would therefore equate

to 30 spaces. For disabled parking 5% of the total capacity would therefore result in a further 2 (rounded) spaces bringing the total number to 32 spaces.

- 7.4.9 Notwithstanding the above, the Parking Standards state that car parking (except for C3 residential) may be adjusted according to which zone the proposed development is located in. The application site is located within zone 2 and therefore has a range of between 25-50% of the indicative demand-based standard which is not applied to the 2 disabled spaces. As a result the parking demand for the development would range from a minimum of 15 spaces to 23 (rounded). When including the disabled spaces the range would change to between 17 to 25 spaces, meaning the development would comply as it would provide a total of 25 spaces. Further a travel plan would be secured by section 106 agreement.
- 7.4.10 For cycling parking the development would require 4 (rounded) short terms spaces plus 2 (rounded). Cycle stands are shown close to the Church Street frontage whilst the Transport Statement advises that 2 cycle racks will be provided in shelter for staff.
- 7.4.11 In the event permission is granted a number of highway conditions have been recommended.

7.5 Amenity space provision

- 7.5.1 Appendix 2 of the Development Management Policies LDD states that amenity space must be provided within the curtilage of all new residential developments. Depending on the character of the development, the space provided may be in the form of private gardens or in part, contribute to formal spaces/settings for groups of buildings or existing mature trees.
- 7.5.2 In respect of indicative levels for amenity space, Appendix 2 states that for care homes at least 15sqm per bed space should be provided communally. For a 75 bed scheme this would relate to an indicative amenity requirement of 1,125sqm.
- 7.5.3 The development will include a number of landscaped character areas, one of which will not be accessed by residents as it is sustainable drainage feature which will appear as a landscape feature. This particular area amounts to 231sqm.
- 7.5.4 In addition, there will be a number of communal amenity areas (BBQ area, patio area and residents' garden area). These areas amount to 382sqm. At first and second floor levels a further 37sqm of communal space is provided via balconies.
- 7.5.5 Further, private patio areas are proposed serving all ground floor bedrooms amounting to 104sqm. At first, second and third floor levels a further 75sqm of private patio balconies are provided.
- 7.5.6 In total, 419sqm of communal space will be provided (increasing to 650sqm if include non-accessible landscape feature) along with 179sqm of private space. This equates to a total of 598sqm (increasing to 829sqm if include non-accessible landscape feature).
- 7.5.7 There is clearly a large shortfall in the required amenity provision that the development will provide. Whilst it is accepted that a degree of flexibility should be provided given the site's town centre location and proximity to public open spaces (Rickmansworth Aquadrome, Batchworth Lock), there would still be a recognised shortfall. This shortfall would therefore weigh against the development.
- 7.5.8 During the course of the application access to the woodland (owned by TRDC) at the rear was omitted by the applicant following discussions with the Property Services department who were unlikely to provide a licence.

7.6 Future living conditions

- 7.6.1 Policy CP12 of the Core Strategy states that development must protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space.
- 7.6.2 The NPPF at paragraph 127 emphasises the importance of good design and seeks that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 7.6.3 The shortfall in amenity space provision has been highlighted above and would limit the extent of outdoor space that residents could use, especially when climate conditions are favourably. It is recognised that all ground floor bedspaces have their own/shared private patio area and the building would accommodate a number of ancillary communal facilities such as a cinema, library, café, hairdressers and would have dining/lounges on every level. The elevated level bedspaces would not have their own private amenity spaces. Whilst there is a shortfall in amenity space provision, it is not considered that this would have a detrimental impact on the living conditions of the occupants with the submitted landscape strategy providing a high level of landscaping areas.
- 7.6.4 The land adjacent to the application site to the west and partially to the south is heavy wooded; however, due to the removal of a group of trees (labelled as G1) there is not considered to be any significant over-shadowing issues.
- 7.6.5 The application site is also located relatively near to a county-run household waste recycling site, located on the southern side of Rectory Road. This is sited approximately in excess of 100m from the site and separated by woodland and Rectory Road. No unacceptable noise issues are therefore expected to arise which would affect the occupiers of the development.
- 7.6.6 Further it is considered that the size (based on other care home models) and orientation of the accommodation is acceptable to ensure that living standards are not compromised.
- 7.7 Impact on trees / landscaping
- 7.7.1 Policy DM6 of the Development Management Policies LDD states that development proposals should seek to retain trees and other important landscape and nature conservation features whilst including new trees and other planting to enhance the landscape of the site and its surroundings as appropriate.
- 7.7.2 Due to the location of the site within the Rickmansworth Conservation Area any tree (subject to its size) is protected. The application site does not contain many trees with the majority located on adjacent land (Council land) to the south west and west. During pre-application discussions it was recognised that a group of trees within the site were likely to be removed to facilitate the development and to reduce overshadowing. The submitted Arboricultural Report acknowledges that this group of trees (labelled as G1) within the south western part of the site will be felled. All these particular trees are classed as Category C (trees which could be retained but are of low amenity value) when applied to the British Standards. However, given their location, sited towards the rear of the site and the constraints that they would have on the development there is no objection to their removal.
- 7.7.3 If approved, it is not considered that there will be any arboricultural impacts which would arise during construction. A condition is recommended that works following the recommendations set out within the Arboricultural Report.
- 7.7.4 Given that the application site is currently very open and predominately laid to hard surfacing there is potential to enhance landscaping and biodiversity across the site. The submitted Landscape Strategy shows a number of character areas which will include a number of new trees, shrubs and plants. The submitted details are considered acceptable and will ensure that there are landscaping enhancements. A condition is recommended that

specific details of all soft landscape measures (size/specie etc.) are submitted prior to commencement.

7.8 Impact on neighbouring properties

7.8.1 Policy DM1 of the Development Management Policies LDD states that applications for new developments will be assessed on their own merits. New development must not result in loss of light to the windows of neighbouring properties nor allow allowing.

7.8.2 When considering the location of the application site it does not lie immediately adjacent to residential development although on the opposite site of Church Street lies St Mary's Court, a two storey residential flatted development with roof accommodation which is set back from the highway by approximately 12-15m.

7.8.3 The Design Criteria as set out within Appendix 2 states that in the interests of privacy and to prevent overlooking, distances between buildings should be sufficient so as to prevent overlooking, particularly from upper floors. As an indicative figure, 28 metres should be achieved between the faces of single or two storey buildings backing onto each other. Distances should be greater between buildings in excess of two storeys (especially dwellings/flats) with elevations which directly face one another or in situations where there are site level differences involved.

7.8.4 The proposed building is predominately three stories high, especially along the principal elevation fronting Church Street which is the highest part of the building. This elevation will be separated from St Mary's Court by a distance of approximately 32m which is considered to be acceptable to avoid overlooking, having regard to the above guidance and the locational context of the site. Further, the distance will ensure that the development would not harm the occupiers of the flatted development.

7.8.5 In respect of the St Mary's Church and its associated extension, the proposed building will be set in from the northern boundary by a minimum of 6m at the rear where the building is two stories in height. The main body of the building will be at least 14m from the boundary which ensures that the development would not result in any unacceptable impact in terms of loss of light or appearing unduly prominent.

7.8.6 To the immediate south lies Batchworth House, a part two, three and four storey office building which has a close relationship with the Church Street. There will be a general separation distance of 14m between the proposed building and the office building. Whilst parts of the proposed building will be sited close to the shared boundary, this would predominately be adjacent to the office car park.

7.8.7 To the west and beyond an intervening parcel of woodland lies The Bury, a collection of residential properties. Given the existence of the woodland and the distances between the developments (approximately 45m) there would be no harm to neighbouring amenity.

7.8.8 It is recognised that increased activity may arise from its use; however, given the current commercial uses which take place it is not considered that unacceptable impacts in terms of noise and disturbance would arise.

7.8.9 All proposed external lighting is to be low level and thus no harm would occur to neighbouring properties.

7.9 Impact on setting of Green Belt

7.9.1 To the west and south west of the application site lies woodland which falls within the Green Belt. Whilst the proposed new building is sizable, it is not considered to have an impact on the Green Belt. Further, towards the rear of the site new landscaping is proposed which provides a soft landscape buffer with the Green Belt boundary.

7.10 Flooding and Drainage

- 7.10.1 The NPPF at paragraph 165 states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should a) take account of advice from the lead local flood authority, b) have appropriate proposed minimum operational standards, c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and d) where possible, provide multifunctional benefits.
- 7.10.2 Policy CP1 of the Core Strategy recognises that taking into account the need to avoid development in areas at risk of flooding will contribute towards the sustainability of the District. Policy CP12 of the Core Strategy also acknowledges that the Council will expect development proposals to build resilience into a site's design taking into account climate change, for example flood resistant design. Policy DM8 (Flood Risk and Water Resources) of the Development Management Policies LDD advises that development will only be permitted where it would not be subject to unacceptable risk of flooding and would not unacceptably exacerbate the risks of flooding elsewhere and that the Council will support development where the quantity and quality of surface and groundwater are protected and where there is adequate and sustainable means of water supply. Policy DM8 also requires development to include Sustainable Drainage Systems (SuDs).
- 7.10.3 The application site lies within Flood Zones 1, 2 and 3a and as such national planning policy requires the application of a Sequential Test to direct development firstly to areas at the lowest risk of flooding. Due to the location of the site and that the proposed use is defined as a 'more vulnerable use' an Exception Test is also required. Paragraph 160 of the NPPF states for the Exception Test to be passed, it should be demonstrated that:
- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 7.10.4 The application was supported by a Housing Need and Flood Sequential and Exception Test Statement. With regards to the Sequential Test it concludes having reviewed 164 sites that no other appropriate sites in an area at a lower risk of flooding would exist when considering their deliverability and development potential. In respect of the Exception Test part (a) of paragraph 160 of the NPPF, it is agreed that the development would provide wider sustainability benefits to the community (detailed at paragraph 7.13 below). In relation to part b) the application was supported by a Flood Risk Assessment and Flood Risk Emergency Plan. The submitted information demonstrates that the primary risk to flooding is from the River Chess and Town Ditch to the north and north east. However, to mitigate the risk of flooding (and from future climate change) the floor levels will be set at a level of 300mm above ground, a draft emergency plan would be required to be used by the operator of the development and sustainable drainage measures would also be used. No objection has been raised by the Environment Agency.
- 7.10.5 The proposed sustainable drainage system includes the use of attenuation storage beneath the car park area and the use of permeable paving, the enhancement of the on-site channel and directing water run-off to a small reedbed area, located to the rear of the site. Subject to future LLFA comments, it is considered that subject to conditions the development will be safe for its lifetime.
- 7.10.6 During the application process the LLFA have objected; however, as per their comments, they seek further clarification on various elements of the design which was provided on 24th April. At the time of writing the report the LLFA had not provided their comments but have indicated that they would respond before the Committee date. If the LLFA maintain their

objection, planning permission should not be approved until their objection has been removed.

7.11 Contamination

7.11.1 The application site falls within the Source Protection Zone 1 and has a mixed industrial use which therefore presents a medium-high risk of contamination that could be exacerbated during construction which could pollute controlled waters.

7.11.2 Policy CP9 of the Core Strategy states that the Council will only grant planning permission for development, on, or near to, on land suspected to be contaminated, where the Council is satisfied that:

- i) There will no threat to the health of future users or occupiers of the site or neighbouring land; and
- ii) There will be no adverse impact on the quality of local groundwater or surface water quality

7.11.3 Paragraph 178 of the NPPF states that planning decisions ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination and after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

7.11.4 The application was supported by a Phase 2 Environmental Site Assessment & Detailed Quantitative Risk Assessment which identifies that previous investigation works across the site indicated potential risk to human health from contaminants present within the shallow made ground such as hydrocarbons with other potential risk to water environment receptors. As a result of the above an extensive remediation strategy is proposed which includes removing fuel tanks and all associated buried pipework and appropriate backfilling and groundwater validation wells to enable a watching brief.

7.11.5 The Environment Agency were consulted and subject to a number of conditions do not object to the development.

7.12 Wildlife & Biodiversity

7.12.1 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. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.

7.12.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by proposals minimising impacts on and providing net gains for biodiversity, including by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

7.12.3 A Local Biodiversity Checklist has been completed by the applicant and submitted with the application along with Ecological Letter and Addendum. The submitted reports conclude that the site has a low ecological value with no evidence of bats or badgers found. Further the submitted lighting plans show that the use of downward pointing LED and low level LED bollards which will minimise light spill and direct light away from boundary vegetation.

7.12.4 Nevertheless, it is recognised that the development has the ability to enhance ecology across the site which is currently dominated by buildings and hard surfacing. The submitted reports highlight a number of enhancements which can be delivered, for example, new planting including trees and the incorporation of bird and bat boxes. To ensure that net gains for biodiversity are realised, a planning condition has been recommended.

7.13 Sustainability

7.13.1 Policy DM4 of the Development Management Policies LDD sets out that development must produce at least 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.

7.13.2 The application has been supported by an Energy Strategy Report which concludes that both Combined Heat and Power installation (energy efficient measure) and photovoltaic panels would be best suited to the proposed building. However, as the future occupants' particular requirements in terms of mechanical and electrical specifications are unclear at this stage, a pre-commencement condition has been recommended ensuring that an energy report tailored to the final use of the building is submitted for agreement.

7.14 Are there any public benefits?

7.14.1 Notwithstanding the above sections, including maximising the developed potential of the site and the identified need for a C2 use within Three Rivers, the development will also be a catalyst in freeing up existing C3 housing stock which has been recognised as a material consideration. Having regard to the Council's conversion figure of 1.9 bedspaces freeing up 1 market dwelling, the development would be equivalent to creating availability for up to 39 homes.

7.14.2 The applicant also advises that the development will also offer health and well-being benefits from providing high quality C2 bedspaces, reduction in the duration of unplanned hospital stays, decreasing routine GP appointments and reduction in NHS costs.

7.14.3 In respect of employment, Policy CP6 of the Core Strategy states that the Council will support development that provides an appropriate number of jobs to meet strategic requirements and to provide for a range of small, medium and large business premises. It is acknowledged that the development would result in the loss of small local businesses, however the proposal will also provide greater employment than the current arrangement with the planning statement suggesting that the operator led proposal will have a direct job creation of around 72 full time jobs, with potentially up to around 103 employment opportunities. Further short term economic benefits from the construction phase would be created as well as longer term indirect benefits arising from the use of local services and facilities, thereby assisting the local economy, which given the current circumstances surrounding Covid-19 should be given significant weight.

7.14.4 The above factors are all material considerations in their own right and would weigh in favour of the development.

7.15 Summary

7.15.1 To summarise, the assessment has recognised that there are various factors which weigh against and in favour of the development. The NPPF makes it clear at paragraph 11 that there is a presumption in favour of sustainable development that planning permission should be granted unless either a) there is a clear reason for refusing the development proposal given its impact on an area or asset of particular importance (para 11(d)(i)), or b)

that any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (para 11(d)(ii)).

- 7.15.2 Having regard to the public benefits discussed above, it is considered that the low level of less than substantial harm to the Rickmansworth Conservation Area would be outweighed by the public benefits detailed above, in accordance with paragraph 196 of the NPPF. As a result, subject to no objection from the LLFA, the development would not harm an area or asset of particular importance and thus there would be no conflict with paragraph 11(d)(i). If the LLFA were to maintain their objection then paragraph 11(d) would be engaged and thus planning permission could be refused. However, as outstanding matters of concern relate to further clarification on the drainage design it is anticipated that the applicant, subject to the decision of Members, would work with the LLFA to ensure that their objection can be overcome.
- 7.15.3 If the LLFA were to remove their objection the assessment has concluded that there would be other adverse impacts in respect of the loss of *potential* affordable housing units and a shortfall in amenity space. Notwithstanding the above, in relation to paragraph 11(d)(ii) it is considered that the development would provide numerous benefits such as; making greater efficient use of land; would result in an uplift in housing need; would free up local market housing; identified need for C2 development within the local area; enable heritage benefits to enhance the setting of adjacent Listed Buildings; provide both short and long term economic benefits; social benefits from providing health benefits and environmental improvements from contamination remediation and new landscaping.

7.16 Planning balance / titled balance

- 7.16.1 To conclude and on the basis that the LLFA remove their objection, the identified adverse impacts would not significantly and demonstrably outweigh the benefits. As a result, it is considered that the development would be acceptable, subject to conditions.
- 7.16.2 It should be noted that if Members come to a different opinion in respect of the weight given to the adverse impacts, they must still be balanced against the benefits arising from the scheme.

8 **Recommendation**

- 8.1 That subject to the recommendation of approval from the Lead Local Flood Authority (LLFA) and the completion of a Section 106 Agreement, that the application be delegated to the Director of Community and Environmental Services to **GRANT PLANNING PERMISSION** subject to the following conditions and any additional conditions as requested by the LLFA:-

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: 099 Rev A; 25707 se-01; 25707 se-02; PL_126; Sheet 01 Rev 0; E-100 Rev P2; PL_030 Rev A; PL_100 Rev C; PL_101 Rev C; PL_102 Rev B, PL_103 Rev B, PL_104 Rev B, PL_105 Rev B; PL_106 Rev B; PL_107 Rev D; PL_108 Rev D; PL_109 Rev D; PL_111 Rev D; PL_127 Rev A & PL_130 Rev A.

Reason: For the avoidance of doubt, in the proper interests of planning, to safeguard neighbouring amenity, enhance the setting of the adjacent Listed Buildings and preserve the character and appearance of the Rickmansworth Conservation Area in

accordance with Policies PSP1, CP1, CP2, CP3, CP4, CP6, CP8, CP9, CP10, CP12 and CP13 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM4, DM6, DM8, DM9, DM10, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013), SA1 (H(21)) of the Site Allocations LDD (Adopted 25 November 2014) – SA1 (H(21)) and the Rickmansworth Conservation Area Appraisal and Character Assessment (adopted 1993).

C3 Remediation Strategy

No development whatsoever shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors; and
 - potentially unacceptable risks arising from contamination at the site.
1. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
2. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: This is a pre-commencement condition to ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution, to prevent further deterioration of a water quality element to a lower status class and prevent the recovery of a drinking water protected area in line with paragraph 170 of the NPPF, Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013).

C4 Verification Report

Prior to any part of the permitted development / each phase of development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: This is a pre-commencement condition to ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete, to prevent further deterioration of a water quality element to a lower status class and prevent the recovery of a drinking water protected area in line with paragraph 170 of the NPPF, Policies CP1 and CP12 of the Core Strategy

(adopted October 2011) and Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013).

C5 Monitoring and maintenance plan

No development whatsoever shall commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: This is a pre-commencement condition to ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures, to prevent further deterioration of a water quality element to a lower status class and prevent the recovery of a drinking water protected area. This is in line with paragraph 170 of the NPPF, Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013).

C6 Management of borehole(s)

No development whatsoever shall commence until a scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.

Reason: This is a pre-commencement condition to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 170 of the NPPF, The Environment Agency's Approach to Groundwater Protection February 2018 Version 1.2, Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013).

C7 Highway boundary

No development shall commence until full details have been submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority, to illustrate the following:

- a. clarification of the highway boundary to clearly illustrate works which would be required on highway land.
- b. Approval from Hertfordshire Fire and Rescue

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

Reason: This is a pre-commencement condition 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) and Policy CP10 of the Core Strategy (adopted October 2011).

C8 Construction Management Plan

No development whatsoever shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste);
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;

Reason: This is a pre-commencement condition in order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011), Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013) and Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

C9 Site Waste Management Plan (SWMP)

No development whatsoever shall commence until a Site Waste Management Plan (SWMP) has been 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 [CW1] and Development Management Policies Development Plan Document (2012).

C10 Tree Protection during construction

Prior to commencement of the development hereby permitted, 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 shall be protected from any damage during site works, in accordance with the drawings contained at Appendix 5 of the Arboricultural Report dated 17th December 2019 prepared by *Andrew Day Arboricultural Consultancy* which has been 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. 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).

C11 Energy measures

Before above ground works commence, an Energy Statement demonstrating energy saving measures for the development to achieve [at least 5% less carbon dioxide emissions than Building Regulations Part L (2013)] have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the development and permanently maintained thereafter.

Reason: 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.

C12 Materials

Before above ground works commence, samples and details of the types, colour and finish of all external materials, including hard surfacing and boundary treatments, shall be submitted to and approved in writing by the Local Planning Authority prior to their first use on site. Only the materials as approved shall be used in the construction.

Reason: To ensure that the external appearance of the building and site in general is acceptable, to enhance the setting of the adjacent Listed Buildings and preserve the character and appearance of the Rickmansworth Conservation Area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and the Rickmansworth Conservation Area Appraisal and Character Assessment (adopted 1993).

C13 Brickwork samples

Before above ground works commence, sample panels of brickwork, at least 900mm x 900mm, to show the brick bond, pointing profile, mortar colour and any decorative brickwork features, shall be made available for inspection on site (or via electronic submission) and approved in writing by the Local Planning Authority. The sample panels shall be retained on site for the duration of the development and the works shall be carried out in accordance with the approved sample panels.

Reason: To ensure that the external appearance of the building and site in general is acceptable, to enhance the setting of the adjacent Listed Buildings and preserve the character and appearance of the Rickmansworth Conservation Area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and the Rickmansworth Conservation Area Appraisal and Character Assessment (adopted 1993).

C14 Additional material drawings

Before above ground works commence, additional drawings of new windows, doors, eaves, verges, cills and balcony balustrades, in section and elevation at a scale between 1:1 and 1:20 as appropriate, shall be submitted to and approved in writing by the Local Planning Authority prior to their first installation or construction on site. The development shall thereafter be implemented only in accordance with the details approved by this condition.

Reason: To ensure that the external appearance of the building and site in general is acceptable, to enhance the setting of the adjacent Listed Buildings and preserve the

character and appearance of the Rickmansworth Conservation Area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and the Rickmansworth Conservation Area Appraisal and Character Assessment (adopted 1993).

C15 Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution from previously unidentified contamination sources at the development site in line with paragraph 170 of the National Planning Policy Framework. Intrusive investigations will not necessarily capture all contaminants present, hence the need to appropriately address any new source discovered during excavation and development, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013).

C16 No drainage infiltration systems

No drainage systems for the infiltration of surface water to the ground are permitted other than with the prior written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution caused by mobilised contaminants, to prevent further deterioration of a water quality element to a lower status class and prevent the recovery of a drinking water protected area in line with paragraph 170 of the NPPF, Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013).

C17 Prior agreement for certain excavation methods

Piling/deep footings/investigation boreholes/ground source heating and cooling systems using penetrative methods shall not be carried out other than with the prior written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reasons: To ensure that the proposed intrusive activity does not harm groundwater resources and to prevent further deterioration of a water quality element to a lower status class and prevent the recovery of a drinking water protected area in line with paragraph 170 of the National Planning Policy Framework, the Environment Agency's approach to groundwater protection, February 2018 Version 1.2 and Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013).

C18 Highway Improvements – Offsite

Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the offsite highway improvement works as indicated on drawings 69005-TS-001 and PL100_C have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The details would need to include:

- Works to create the bellmouth entrance, with a kerb radii of 6m on either side.
- Tactile paving on the footway either side of the vehicle access point, laid out in accordance with standards laid out in Guidance on the use of Tactile Paving Surfaces.
- Give way line.
- Reinstated footway fronting the site with full height kerb; removal of dropped kerb no longer required.
- Bus stop sign and associated bus stop improvement works for the currently unmarked bus stop fronting the site.

Prior to the first occupation of the development hereby permitted the offsite highway improvement works referred to in this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018) and Policy CP10 of the Core Strategy (adopted October 2011).

C19 Flood warning

Prior to the first occupation of the development hereby permitted, a Flood Warning and Evacuation Plan shall be submitted to and approved in writing by the Local Planning Authority.

The Plan shall include details of:

- measures to ensure occupiers are aware of the likely frequency and duration of flood events;
- safe access to and from the development; and
- subscription details to the Environment Agency flood warning system.

The plan shall be implemented in accordance with the approved details.

Reason: To ensure that the development would not be subject to unacceptable risk of flooding in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

C20 Parking and servicing areas

Prior to the first occupation of the development hereby permitted, the proposed access, on-site car 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 Policies CP1 and CP10 of the Core Strategy (adopted October 2011), Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013) and Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

C21 Parking area

Prior to the first occupation of the development hereby permitted, the parking spaces shall be constructed in accordance with drawing number PI_102 Rev B and shall thereafter be kept permanently available for the use of residents and visitors to the site.

Reason: To minimise danger, obstruction and inconvenience to highway users in the interests of safety 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).

C22 Biodiversity enhancements

Prior to the first occupation of the development hereby permitted, the biodiversity enhancements as set out within the Ecology letter-report (dated 31st January 2019) and Addendum (dated November 2019) prepared by AA Environmental Limited (AAe) shall be incorporated within the development and be permanently retained thereafter.

Reason: To maintain wildlife habitat 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).

C23 Boundary treatment

Prior to the first occupation of the development hereby permitted, electronic samples of the boundary treatments as shown on drawing number PL_101 Rev C (excluding 0.9m high brick wall and pier details which is subject to Condition 12) shall be submitted to and approved in writing by the Local Planning Authority. The agreed boundary treatments shall be erected prior to the first occupation of the development and be permanently retained thereafter.

Reason: To ensure that appropriate boundary treatments are proposed to safeguard the amenities of neighbouring properties, to preserve the setting of adjacent Listed Buildings and the character and appearance of the Rickmansworth Conservation Area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM3 of the Development Management Policies LDD (adopted July 2013) and the Rickmansworth Conservation Area Appraisal and Character Assessment (adopted 1993).

C24 Soft Landscaping details (in accordance with Landscape Strategy)

Prior to the first occupation of the development hereby permitted, a soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority) which follows the layout principles of the submitted Landscape Strategy on drawing number PL030 Rev A. The scheme shall also include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained and details of all new trees, plants and shrubs (i.e. initial planting size and specie type)

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 use of any part of the new all-weather pitch or completion of the development, whichever is sooner.

If any existing tree(s) 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 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).

C25 Cycle storage details

Prior to the first occupation of the development hereby permitted, details of cycle parking/storage (both internally and externally) shall be submitted to and approved in

writing by the Local Planning Authority. The agreed details shall be implemented prior to the first occupation of the development and permanently retained thereafter.

Reason: In order to ensure bicycle parking facilities are provided and 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).

C26 Hard landscaping works

All hard landscaping works shall be carried out in accordance with drawing number PL030 Rev A and completed prior to the first occupation of the development hereby permitted.

Reason: This condition is required to ensure the completed scheme has an acceptable visual impact on the character and appearance 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).

C27 External lighting

The external lighting installed on the site and affixed to the building(s) shall be undertaken in accordance with drawing number E-100 P2 and be installed before the first occupation of the development hereby permitted.

No other external lighting shall be installed on the site or affixed to the building(s) on the site unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity. The submitted lighting details shall be installed in accordance with the approved details before the use commences.

Reason: In the interests of visual amenity, to preserve the setting of adjacent Listed Buildings and the character and appearance of the Rickmansworth Conservation Area, safeguard biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011), Policies DM3, DM6 and DM9 of the Development Management Policies LDD (adopted July 2013) and the Rickmansworth Conservation Area Appraisal and Character Assessment (adopted 1993).

C28 Waste Management Plan

The Waste Management Plan as set out within Appendix E of the submitted Transport Statement dated January 2020 prepared by *Development Transport Planning* shall be permanently adhered to immediately following the first occupation of the development hereby permitted.

Reason: In the interests of highway safety in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011).

C29 Bird nesting restrictions

No removal of trees, hedges or scrub shall take place between 1 March and 31 August inclusive unless searched immediately beforehand and certified free of nesting birds by a qualified ecologist.

Reason: To protect the amenities of wildlife during the primary nesting season 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).

C30 Obscure screening panels

The obscure privacy panels serving patios/balconies shall be erected in accordance with drawing numbers PL_102 Rev B, PL_103 Rev B, PL_104 Rev B, PL_107 Rev D and PL_108 Rev D prior to the first occupation of the development hereby approved and be permanently retained thereafter.

Reason: To safeguard the privacy of occupants 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).

C31 Flood mitigation

The development shall be constructed in accordance with the measures set out at Section 8 of the submitted Flood Risk Assessment dated April 2020 prepared by *SLR*.

Reason: To ensure that the development would not be subject to unacceptable risk of flooding in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

C32 Rooflight

The rooflight hereby permitted within the western roofslope shall be set flush with the adjacent roofing materials, and not project above the plane of the roof in which it is located.

Reason: In the interests of visual amenity and to safeguard the character of the Rickmansworth Conservation Area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and the Rickmansworth Conservation Area Appraisal and Character Assessment (adopted 1993).

8.2 Informatives:

11 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 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.

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. If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

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 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 and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

13 Extent of Highway:

Information on obtaining the extent of public highway around the site can be obtained from the HCC website: www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx.

14 Agreement with Highway Authority:

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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning__0300 1234047.

15 Travel plan:

Travel Plan for the development consisting of a written agreement with the County Council which sets out a scheme to encourage, regulate, and promote sustainable travel measures to the site in accordance with the provisions of the County Council's 'Travel Plan Guidance for Business and Residential Development', which is subject to an overall sum of £6,000 payable before use of the development. This 'evaluation and support contribution' is to cover the County Council's costs of administrating and monitoring the objectives of the Travel Plan and engaging in any Travel Plan Review. The applicant's attention is drawn to Hertfordshire County Council's guidance on residential/commercial Travel Plans:

www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developerinformation/development-management/highways-developmentmanagement.aspx

Our Travel Plan team can provide further advice at travelplan@hertfordshire.gov.uk

- 16 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: 0300 060 3900

Herts & Middlesex Bat Group: www.hmbg.org.uk

or an appropriately qualified and experienced ecologist.

(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).

- 17 The applicant is advised that a Public Right of Way runs adjacent to the application site. This Right of Way must be protected to a minimum width of 2m and its current surface condition maintained. The Right of Way must remain unobstructed by vehicles, machinery, materials, tools and any other aspects of construction during works. The safety of the public using the route should be paramount. The condition of the route must not deteriorate as a result of the works. All materials are to be removed at the end of construction.

If these standards cannot be reasonably be achieved then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order.

- 18 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.
- 19 The applicant is reminded that proposed advertisements may require advertisement consent which would be subject to a separate application.
- 110 The applicant is advised that the requirements of the Party Wall Act 1996 may need to be satisfied before development commences.
- 111 The applicant is reminded that this planning permission is subject to either a unilateral undertaking or an agreement made under the provisions of Section 106 of the Town and Country Planning Act 1990.