

PLANNING COMMITTEE – 23 JUNE 2022

PART I - DELEGATED

5. **22/0033/FUL – Proposed demolition of existing office block and multi-storey car park and redevelopment to provide 6 no. warehouses for a flexible range of employment uses (within Classes E(g)(iii), B2 and / or B8) with ancillary offices together with associated works at HERTFORD PLACE, DENHAM WAY, MAPLE CROSS, WD3 9AB (DCES)**

Parish: Non-Parished

Ward: Chorleywood South and Maple Cross

Expiry of Statutory Period: 15 April 2022

Case Officer: Matthew Roberts

Extension of time agreed: 30 June 2022

- 1.1 Recommendations: That subject to no new material considerations being raised and the recommendation of approval/no objection/concerns from the Lead Local Flood Authority (LLFA) or an alternative appointed consultant providing specialist professional advice and Herts Ecology (HE), that the application be delegated to the Director of Community and Environmental Services to GRANT PLANNING PERMISSION subject to conditions as set out at section 9 below and any additional conditions as requested by the LLFA (or appointed consultant) and HE:-

Reason for consideration by the Committee: Called in by three Members of the Planning Committee due to concerns with the environment including traffic and air quality.

2 Relevant planning history of the application site

- 2.1.1 8/238/80: Change of Use. Light Industry with ancillary offices to offices.

- 2.1.2 16/1445/PDR: Prior Notification: Change of use from Office (Class B1) to 84 Residential units (Class C3). Refused and dismissed (Condition valid).

R1: The development is not 'permitted development' under Part 3, Class of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) as planning permissions 8/710/86 and 8/38/87 removed permitted development rights by restricting the use of the building as for offices and/or light industry (as defined in Classes II and III respectively of the Town and Country Planning (Use Classes) Order (1972) and/or for the purposes of research and development and for no other purposes whatsoever without the prior permission in writing of the Local Planning Authority.

Consequently, the proposal cannot be determined through the Prior Notification procedure and planning permission is required for the change of use of the premises to dwellings.

This application was dismissed by The Planning Inspectorate on 12 May 2017 (APP/P1940/W/17/3164639).

- 2.1.3 16/2290/FUL: Removal of Condition 1 (Office or Light Industrial Use) of planning permission 8/38/87 (Continuation of use of offices without compliance with condition 2 of Planning Permission Ref 8/238/80). Refused for the following reason:

R1: Condition 1 was attached to planning permission 8/38/87 to restrict the use of the land and to allow the Local Planning Authority to reconsider in the event of a change in circumstances. The retention of this condition is still considered reasonable and relevant when taking into consideration the Employment Allocation of the site and the need for office accommodation over the plan period. Condition 1 is therefore considered necessary, reasonable and relevant to allow the Local Planning Authority to consider alternative uses

of the site in accordance with Policies CP1 and CP6 of the Core Strategy (adopted October 2011) and Policy SA2 of the Site Allocations LDD (adopted November 2014).

This application was dismissed by The Planning Inspectorate on 13 July 2017 (APP/P1940/W/17/3169392).

- 2.1.4 16/2291/FUL: Removal of Condition 2 (Office or Light Industrial Use) of planning permission 8/710/86 (Change of use to office).

R1: Condition 2 was attached to planning permission 8/710/86 to restrict the use of the land and to allow the Local Planning Authority to reconsider in the event of a change in circumstances. The retention of this condition is still considered reasonable and relevant when taking into consideration the Employment Allocation of the site and the need for office accommodation over the plan period. Condition 2 is therefore considered necessary, reasonable and relevant to allow the Local Planning Authority to consider alternative uses of the site in accordance with Policies CP1 and CP6 of the Core Strategy (adopted October 2011) and Policy SA2 of the Site Allocations LDD (adopted November 2014).

This application was dismissed by The Planning Inspectorate on 13 July 2017 (APP/P1940/W/17/3169394).

- 2.1.5 17/1241/PDR: Prior Notification: Change of use from Office (Class B1) to 84 Residential units (Class C3). Withdrawn, restrictive conditions safeguard office use.

- 2.1.6 21/1834/PDND: Prior Notification Demolition: Demolition and removal of existing buildings and structures (Office building, car park and cycle shelter). Permitted.

2.2 Relevant Planning History at Witney Place (land adjacent to the north east):

- 2.2.1 07/1401/FUL: Erection of a four storey building with plant room above for use as a hotel containing 207 bedrooms, function/meeting rooms, restaurant, health club, administrative and service areas. Alterations to access onto (A412) Denham Way and provision of 373 car parking spaces in four/three storey car park and surface level and landscaping. Permitted and commenced.

- 2.2.2 11/2313/NMA: Non Material Amendment to planning permission 07/1401/FUL to add a condition listing all approved plan numbers. Approved.

- 2.2.3 18/0401/CLPD: Certificate of Lawfulness to establish that a lawful material commencement of development as approved by planning permission ref 07/1401/FUL occurred prior to 19 March 2011. Certificate issued confirming a material commencement has occurred (it should be noted that no further works have occurred to date).

2.3 Other relevant planning applications nearby:

- 2.3.1 19/1179/FUL: Comprehensive redevelopment to provide 2 no. warehouse Class B1c/B2/B8 units comprising a total of 16,140 sqm including 1,986 sqm ancillary B1a office space, access, landscaping and associated works. Refused on 7 grounds. Appeal dismissed (reference: APP/P/1940/W/19/3243565).

- 2.3.2 21/0573/FUL: Comprehensive redevelopment to provide 2 no. warehouse Class E(giii)/B2/B8 units comprising a total of 16,115 sqm including 1,882 sqm ancillary E(gi) office space, access, landscaping and associated works. Applicant appealed non-determination. Planning appeal APP/P1940/W/21/3289305 allowed, subject to conditions (30 May 2022).

3 **Description of Application Site**

- 3.1 The application site comprises a rectangular shaped parcel of land located on the south eastern side of Denham Way (A412) in Maple Cross, near to the Maple Cross Roundabout. The site accommodates a large vacant 1980s four storey office/light industry building (approx. 57,000sqm) with a multi storey car park to the rear.
- 3.2 The office building is located at the front of the site and has a glazed entrance and glazed mansard roof form, the latter of which also acts as the fourth storey. The office is currently under-going an internal soft strip demolition following the grant of 21/1834/PDND.
- 3.3 At the rear of the site there is a detached concrete open roofed car park which is split over five floors providing 218 parking spaces.
- 3.4 The application site is accessed via an existing entrance from Denham Way which runs in front of the office building and provides ingress and egress to the car park.
- 3.5 A group of trees are protected to the front of the site (Tree Preservation Order: 49).
- 3.6 In terms of policy designations, the application site falls within an allocated employment site (Policy SA2 of the Site Allocations Local Development Document – site reference E(d)) which is safeguarded from residential change of uses via an Article 4 Direction.
- 3.7 The parcel of land immediately adjacent to the north is free of built form development, and is enclosed by site hoardings to the Denham Way road frontage. This parcel of land is subject to a lawfully commenced hotel development, reference 07/1401/FUL. The land to the immediate south of the application site comprises large office buildings with a vegetated boundary comprising of hedging and trees. To the east there is an open field which is subject to a recently allowed warehouse development scheme (reference 21/0573/FUL). Opposite the site to the west are open fields forming Woodoaks Farm which also comprises an on-site brewery, tea shack and Grade II listed buildings.

4 Description of Proposed Development

- 4.1 This application seeks planning permission for the proposed demolition of the existing office block and multi-storey car park and its redevelopment to provide 6 warehouses for a flexible range of employment uses; falling within Classes E(g)(iii), B2 and / or B8 with ancillary offices together with associated works.
- 4.2 Following the removal of the existing buildings on site, two new warehouse buildings would be erected; one within a similar position to the office building but extending further into the site and the other located towards the rear, spanning the majority of the width of the plot.
- 4.3 Units 1, 2, 3 and 4 would all be accommodated within the warehouse building (“building 1”) which would be positioned towards the front and central part of the site. The building would measure approximately 23m in depth by 88m in width and would be set in from the northern boundary by approximately 4.5m (at its minimum) and 14-18m from the front (western) boundary with Denham Way. The building would have a maximum height of 10m (parapet) with the roof form comprised of a low angled hipped to crown roof which would be no higher than the parapet wall. A number of rooflights and solar panels are proposed within the roofslopes.
- 4.4 Units 5 and 6 would be accommodated within a warehouse building (“building 2”) positioned towards the rear of the site. The building would measure approximately 30.6m in width by 28m in depth. It would also have a parapet height of 10m with the roof form comprising of a low angled pitched roof which would be no higher than the parapet wall.

- 4.5 In terms of appearance the buildings would have a contemporary exterior via the use of horizontal steel cladding (in grey and blue), composite panels and aluminium windows.
- 4.6 Each of the warehouse units would provide ancillary office accommodation at first floor level with an entrance lobby and toilets on the ground floors. The internal layout will comprise of:
- Unit 1: 6,350ft warehouse / 1,310ft office
Unit 2: 4,790ft warehouse / 1,130ft office
Unit 3: 5,045ft warehouse / 955ft office
Unit 4: 5,260ft warehouse / 1,160ft office
Unit 5: 4,068ft warehouse / 710ft office
Unit 6: 4,230ft warehouse / 750ft office
- 4.7 The buildings would be externally finished in a range of materials such as metal insulated panels (RAL 9007 / grey), Sinusoidal cladding (RAL 5003 / blue) and profiled cladding (RAL 9006/grey). The windows serving the offices would have double glazed windows/doors with powder coated aluminium frames.
- 4.8 The existing access would be maintained while the internal access road would be altered to enable a road width of 7.3m. This would require the removal of a number of unprotected trees within the site.
- 4.9 To the front of the warehouse buildings each unit would have an area for car parking, with a total of 30 spaces across the site which includes 6 disabled spaces and 6 electric charging points. Space would also be provided for HGV/lorries. Towards the rear, to the southern side of 'building 2' there would be a detached bin store and a covered cycle store (9 cycles) with a turning point. The existing small substation adjacent to the northern boundary would be retained.
- 4.10 In terms of external lighting, 1m high bollard lighting will be used to the side and rear of the buildings while within the parking areas and lining the internal access road would be 6m high galvanised columns. Wall mounted lights would also be affixed to the front of the units.
- 4.11 A Landscape Strategy is also proposed which seeks to plant 8 new native trees, a wildflower meadow adjacent to the northern boundary, native shrub hedging to the rear boundaries along with shrub planting, enhanced area of soft landscaping adjacent to the front boundary with Denham Way and the retention of the individually protected trees.

5 Consultation

5.1 Statutory Consultation

5.1.1 Local Plans Section: [Advisory comments]

"The application site is located in the Secondary Centre of Maple Cross, as identified in the Core Strategy (adopted 2011). The Spatial Strategy states that in Secondary Centres, more limited new development will take place on previously developed land and appropriate infilling opportunities. The National Planning Policy Framework's (NPPF) core planning principle is to encourage the effective use of previously developed land. The site is comprised of previously developed land and subsequently the proposal would comply with the Spatial Strategy.

The application site is located in the Maple Cross/Maple Lodge site, an allocated employment area in the Site Allocations LDD (adopted 2014) (site E(d)). Policy SA2 of the Site Allocations LDD states that allocated employment sites will be safeguarded for business, industrial and storage or distribution uses. The provision of E(g)(iii), B2 and B8 floorspace in this area of the employment site would contribute to the safeguarding

business, industrial, storage and distribution uses. Subsequently, the application complies with Policy SA2.

Policy CP6 of the Core Strategy states that the Council will provide for a range of small, medium and large business premises and retain overall levels of industrial and warehousing floor space within the district. Policy CP6(j) similarly states that the sustainable growth of the Three Rivers economy will be supported by continuing to focus employment use within key employment areas, including the Maple Cross/Maple Lodge employment site. The South West Herts Economic Study (2019) estimates that there is a requirement for 28,800 sqm of industrial and warehousing floorspace over the period to 2036. After taking into account existing commitments and capacity on existing employment allocations, the total requirement for industrial and warehousing space is 21,945 sqm (or 5.5ha of employment land using the plot ratio of 0.4 recommended in the Economic Study). The application supporting documents specify the gross internal area of the proposed warehouse units totals 3,322 sqm, which would contribute to the industrial and warehousing floorspace needs.

In respect of offices, Policy CP6(n) states that the sustainable growth of the Three Rivers economy will be supported by releasing office space from employment use where this is expected to be surplus to employment needs across the plan period, as indicated by an up to date Employment Land Study. The South West Herts Economic Study (2019) estimates an oversupply of 6,263sqm during the period to 2036 and so the proposal would not be in conflict with Policy CP6(n).

Whilst recognising that the application site is currently vacant, the proposal would result in a loss of office floorspace at the Maple Cross/Maple Lodge site. Nevertheless, due to the site's formal allocation for employment uses and the future need to provide employment floorspace for industrial uses (as set out above), the site is considered suitable for the proposed uses and the development is supported."

5.1.2 Landscape Officer: [No objection, subject to conditions]

"An Arboricultural Impact Assessment (AIA), and Tree protection plan, following the BS5837, accompany this application.

Some trees will be affected, being remove G1, G3, T6, T7, T8, T9, and T11. However these trees are classified as 1 U category, 1 B category and the rest C category with low quality. The proposed trees to be removed are not TPO trees. 8 new trees will be planted. The impact in the retained trees will be minimal and acceptable.

In light of the above, taking into consideration the low affection to the retained trees, and the removal of trees with low quality, with the proposed to plant new trees. In addition of the following of the BS5837, I do not have objections to the proposed plan."

5.1.3 Conservation Officer: [No objection]

"The property is located in the setting of the following Grade II listed heritage assets:

- *Barn about 100 metres north of Woodoaks Farmhouse, (list entry: 1100878)*
- *Building Immediately north-west of Woodoaks Farmhouse (list entry: 1100877)*
- *Maple Lodge (list entry: 1173687)*
- *Barn to west of Maple Lodge adjoining Maple Close (list entry: 1100856)*

The proposed replacement buildings would be approximately 5m lower in height than the existing development. Although the proposed new warehouses would occupy a larger footprint than the existing building, the new development would not encroach into the

surrounding greenspace to the east. Any development further east would potentially detract from the setting of Maple Lodge and the barn to the west of Maple Lodge.

Given the existing extent of development and the distance of the heritage assets from the application site, the proposed warehouses are unlikely to have a detrimental effect on the setting of the aforementioned heritage assets. Planting in addition to the existing would be encouraged to supplement the existing verdant surrounding.”

5.1.4 Environmental Protection Officer: [No objection, subject to conditions]

Air Quality:

I have reviewed the Air Quality Assessment prepared by Kairus Ltd (Report ref. AQ051874).

An assessment of the potential construction phase impacts associated with the proposed development has been carried out. It is considered that there is a medium risk of dust soiling effects associated with earthworks and construction and trackout. Following implementation of appropriate mitigation measures it is considered that impacts associated with construction are likely to be insignificant.

An assessment of operational traffic impacts associated with the proposed development has been carried out. Impacts associated with operational traffic and exposure are considered to be insignificant, therefore no mitigation is considered necessary.

I would recommend that a condition requiring a CEMP to include dust management plan be applied to any permission granted. The dust management plan should incorporate the recommended mitigation measures as discussed in section 7.1.1 and Appendix D of the Air Quality Assessment.

I would suggest an informative relating to the following:

The use of vehicles (that are involved in demolition, earthworks, construction etc.) that meet the most recent European emissions standards. The mitigation measures described in Section 7.2 are welcomed.

Land Contamination:

I have reviewed the Phase 1 Environmental Assessment prepared by WSP (Report ref. 70084323-001).

The preliminary risk assessment has not identified any plausible contaminant linkages that require further investigation. Any unexpected contamination encountered during the development shall be reported to the LPA.

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

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

Reason: *To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters,*

property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

5.1.5 Environmental Health (Noise) Officer: [No objection, recommendations provided]

*Compared with the guidance given in BS 4142 for the **predicted** internal and external noise level, including the worst-case cumulative noise level, the calculations appear to correlate with a **low noise impact** to the nearest noise sensitive property (i.e. the proposed new hotel site). However, it is likely that, given the nature and operation of the business units, particularly delivery vehicles with reverse beepers at night time, the noise impact could significantly increase in practice and cause issues in future.*

Therefore, I would recommend:

- *acoustic screening to nearby noise sensitive properties*
- *placing external plants reasonably to maximising the distance from noise-sensitive properties and*
- *to limit their noise impact, enclosing external fans and air handling units in appropriate casings.*

5.1.6 Hertfordshire County Council - Highway Authority: [No objection, subject to comments and informatives]

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

1. Provision of Access, Parking and Servicing Areas

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

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

2. Travel Plan Statement

Prior to the first use of the approved development an updated Travel Plan Statement for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The updated plan shall include:

- *Travel Plan Co-ordinator (TPC) details provided on appointment as well as those of a secondary contact in case of personnel changes;*
- *The production of a statement of management commitment to the implementation and monitoring of the plan;*
Details of the frequency that the TPC is on site will also be required once known;
- *Structured feedback from employees regarding the plan e.g. via steering group or organised around existing site meetings;*
- *Once occupiers are known, an evaluation as to how freight/deliveries are organised in the most sustainable way (depending on type of business);*

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

3. Construction Management Plan

No development 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;
- Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

Highway Informative

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN) Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development.

The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at:

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

Comments / Analysis

1. Introduction

The application comprises of the demolition of the existing office block (5,076sqm) and car park and construction of 3,601sqm of flexible employment use (class E(G)iii/B2/B8) / 6 warehouse units at Hertford Place, Denham Way, Maple Cross. The site is zoned as part of a larger allocated employment site as part of Three Rivers District Council (TRDC)'s Local Plan.

A Transport Statement (TS), Workplace Travel Plan Statement (TPS) and Car Park Management Plan (CPMP) have been submitted as part of the application. Pre-application advice has previously been provided by HCC, a copy of which is included in the TS. Following initial comments from HCC as Highway Authority, a follow-up transport advice response (dated 22/03/2022) has been provided by the transport consultant.

2. Existing Highway Network and Access

The site is approximately 1.5km from junction 17 of the M25. The site is accessed via an existing priority T-junction with Denham Way. Denham Way is a single-carriageway road and designated as a classified A (A412) main distributor road, subject to a speed limit of 40mph within the vicinity of the junction and is highway maintainable at public expense. There is a shared cycleway/footway on the eastern side of Denham Way; a pedestrian only footway on the western side and a signal controlled pedestrian crossing approximately 50m south of the T-junction.

The proposals utilize the existing highway access arrangements rather than propose a new access point from London Road which is in accordance with LTP4 Policy 5f, which states that HCC as HA will “Only consider new accesses onto primary and main distributor roads where special circumstances can be demonstrated in favour of the proposals”. Whilst the access is currently closed, the design and size of the access allows for heavy goods vehicle (HGV) movements and therefore considered to be acceptable to provide access to the size and nature of the proposed development, as supported by the swept path analysis / tracking as shown on drawing number 216153/AT/A05 rev. B and 216153/AT/05 rev C. The level of vehicular to vehicular and vehicular to pedestrian visibility at the existing access point is acceptable and sufficient and there are existing pedestrian dropped kerbs and tactile paving on either side of the access.

There is no record of any highway accidents recorded associated with the use of the existing access nor within the immediate vicinity of the application site (5-year rolling).

3. Trip / Traffic Generation

The TRICS (Trip Rate Information Computer System) database has been used to determine and compare the existing vehicle trip generation (based on the current permitted use of the site) to the anticipated traffic levels for the proposed use (both options for 100% E(g)iii and 100% B8 development) as detailed in the TS (Section 5). Following consideration of the nature and size of the proposals, the parameters and approach used is considered to be acceptable and HCC as Highway Authority.

The proposals have been predicted as generating up to 403 two way vehicular trips between 6am to 7pm, 39 two-way trips in the AM peak (0800-0900) and 25 two-way trips in the PM peak (1700-1800) as summarised in table 5.4. In respect of the TS (and the methods within) would be the normal and robust assessment under which the trip generation would be reviewed and assessed. The TS also considers the anticipated OGV trip rates (which would include any large vehicles), predicted as 23 two-way OGV trips between 6am to 7pm, 2 two-way trips in the AM peak and 1 two-way trip in the PM peak.

Hertfordshire County Council (HCC) as Highway Authority can only recommend the refusal of planning permission or object to the proposals in the context of paragraph 111, National Planning Policy Framework (NPPF) (update 2021), which states that: “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

Following consideration of the anticipated trip generation for the development, the number of vehicle trips associated with the proposed use would not be considered to be severe nor significant. Indeed the anticipated number of vehicle trips is less than for the currently approved use of the site and therefore when compared to the current approved use there would be 330 less vehicular trips across the daily period (with 69 less trips in both the AM and PM peak).

4. Internal Site Layout

The proposed site layout is shown on submitted drawing number PL008 and includes a new access road with a 7.3m wide carriageway (reducing to 6m further into the site) and a 1.5m wide pedestrian route. The size and design of the carriageways is considered to be

acceptable for the industrial nature of the development and in accordance with Roads in Hertfordshire: Highway Design Guide and Manual for Streets. The TS includes swept path analysis / tracking plans (plan no. 216153/AT/A05 B) to illustrate that a 16.5m articulated vehicle would be able to utilise the proposed site access arrangements in addition to using the turning area to turn around on site and egress to Denham Way and the larger wider network in forward gear, which is acceptable.

Furthermore swept path analysis / tracking plans (plan no. 216153/AT/A02) for a 10m rigid vehicle has also been submitted to illustrate that such a vehicle would be able to utilise a parking / loading area in front of each unit. Following a request from HCC as Highway Authority as part of its initial response, an updated swept-path analysis plan (216153/AT/05 Rev C) has been provided to illustrate that a 16.5m articulated vehicle would be able to turn right onto Denham Way when egressing the site, the details of which are considered acceptable.

The Highway Authority also requested a “swept-path analysis to illustrate that two 16.5m long articulated vehicle would be able to pass one another within the site if there are two HGVs accessing the site at any one time”. A swept path has subsequently been provided (drawing no, 216153/AT/06) to demonstrate that there are a number of passing points within the site and whilst it is acknowledged that vehicles would not be able to pass along the full length, the arrangements would be considered to be acceptable when taking into consideration the anticipated number of large vehicles and trips.

The proposals include a 1.5m wide pedestrian footway through the site, which whilst less than the normally recommended 2m wide route, is considered to be acceptable for a development of this nature and size. Nevertheless pedestrians would be required to cross the front of the parking / loading areas and therefore provision should be made on-site for appropriate signage, lighting and surfaces for the footway and surrounding areas to give greater priority / safety for pedestrians, greater awareness to vehicle users and encourage lower speeds within the site. The subsequent transport response states that “this walk route will be appropriately delineated and lit to provide a safe, route for pedestrians when the site is operational. The actual details will likely be determined through a risk assessment once occupiers are known”.

5. Car Parking Level and Design

The existing site has a total of 242 car parking spaces. The application includes a total provision of 30 car parking spaces including 6 disabled spaces and 6 electric vehicle charging (EVC) bays, the layout of which is shown on submitted drawing number PL008.

The layout and design of the parking areas are considered to be acceptable and in accordance with Manual for Streets (MfS) and all vehicles would be able to turn around on site and egress to the highway in forward gear. HCC as Highway Authority is supportive of the level of EVC (with both active and passive provision) to ensure that the proposals are in accordance with LTP4, Policy 5h, which states that “Ensure that any new parking provision in new developments provides facilities for electric charging of vehicles”.

The level of proposed car parking for a B1/E or B2 use is less than the TRDC policy requirement and the level of lorry spaces is less for all classes B1, B2 and B8. The acceptability of the level of vehicle parking from HCC as the Highway Authority’s perspective would be subject to an appropriate level and type of supporting measures to promote and maximise sustainable travel options to and from the site, details of which are outlined in the submitted TPS. A CPMP has been submitted as part of the TS. Due to the fact that at this stage of the application the eventual mix of uses / occupiers is not known, HCC as Highway Authority would recommend that this plan is updated to reflect any of the eventual uses on site.

The points raised in relation to the level of parking in the supplemental transport response (points 9 to 12) are noted and have been taken into consideration as part of this response. HCC as Highway Authority would therefore not wish to object to the proposals in the context of the overall parking levels. Nevertheless, TRDC as the planning authority for the district, would ultimately need to be satisfied with the proposed level and type of parking on site taking into consideration their adopted standards.

6. Emergency Vehicle Access

Due to the size of the proposals, as part of the highway authority's assessment of this planning application, we consider that Hertfordshire Fire and Rescue should be consulted for any comments or recommendations which they may have. Therefore, details of the proposal have been passed to them for attention.

7. Accessibility and Sustainable Travel

The site is located on the north-east side of Maple Cross within approximately 1.2km of the whole of the settlement. The settlement edge of Rickmansworth is approximately 800m north of the site and the town centre (and train station) approximately 3.5km north-east of the site.

The site is therefore within an acceptable cycling and walking distance from the rest of Maple Cross and parts of Rickmansworth. There is footway and cycleway provision along Denham Way south into Maple Cross and north in Rickmansworth although parts of the shared foot/cycle way could be widened and improved to maximise pedestrian and cycling accessibility.

The nearest bus stops are located on Denham Way with the southbound bus stop directly fronting the site and northbound stop approximately 130m to 150m from the site, both of which are within the normally desired 400m walking distance from the site. The bus stops are proposed to be relocated further north along Denham Way as part of the necessary off-site highway works associated with planning application 21/0573/FUL (decision yet to be determined). Nevertheless the bus stops would remain within a desirable walking distance from the site and therefore considered acceptable.

A covered cycle shelter with 18 cycle parking spaces have been included as part of the proposals, the general design and level of which is considered to be acceptable. HCC as Highway Authority would support the promotion and maximisation of cycling as a form of travel to the site and therefore would recommend that the level and location of cycle parking is monitored and potentially increased / relocated to reflect the eventual user of any of the individual uses. Vehicles would need to be made aware the cyclists would also be using the car park and vehicle access and therefore appropriate signage and lighting would need to be considered and provided. National Cycle Route 6 is located approximately 1km from the site by bike (accessed via Denham Way, Uxbridge Road and Springwell Lane), which therefore demonstrates that the wider cycle network could be utilised as a form of travel to and from the site, particularly for any future employees.

As requested in HCC's pre-application response to the applicant, a Workplace Travel Plan Statement (TPS) has been submitted as part of the application to support the promotion and maximisation of sustainable travel options to and from the site and to ensure that the proposals are in accordance with LTP4 and the National Planning Policy Framework (NPPF). The TPS is considered to be generally acceptable for this stage of the application. Nevertheless further details would be required to be provided including:

- Travel Plan Co-ordinator (TPC) details to be provided on appointment as well as those of a secondary contact in case of personnel changes.*
- The production of a statement of management commitment to the implementation and monitoring of the plan as this demonstrates commitment to the delivery of the plan.*
- Details of the frequency that the TPC is on site will also be required once known.*

- *Mention is made of gaining feedback from employees regarding the plan – this could be structured in some way e.g. with a kind of steering group or organised around existing site meetings.*

- *Once occupiers are known, it would be useful to evaluate how freight/deliveries are organised in the most sustainable way (depending on type of business).*

The suggested range of measures are good and cover all modes and the once the occupiers are known, they can be further tailored to the particular businesses. The monitoring method, frequency and review proposals are also satisfactory. Further information on the additional required information is available via the HCC's website at:

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

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

Conclusion

In the context of the NPPF and LTP4 and following assessment of the submitted TS and supplemental information submitted as detailed in the above points, there would not be an unacceptable highway safety reason nor a severe road network reason to justify the recommendation of refusal of the proposals from a highways or transport perspective by HCC as HA. HCC as HA would therefore not wish to object to the granting of planning permission for this application, subject to the inclusion of the above highway conditions and informatives.

5.1.7 National Highways: [No objection]

5.1.8 Hertfordshire Ecology: [More surveys required]

Summary of advice:

- *Insufficient information on European Protected Species (bats) for determination. Further surveys required.*
- *Suitable mitigation for nesting birds, and reptiles.*
- *The site is located within a SSSI impact zone.*
- *Comments given regarding hydrological impact on Maple Lodge Nature Reserve.*
- *Discretionary advice relating to the use of the full biodiversity metric.*
- *Pre commencement Condition for an Biodiversity Enhancement Plan and the felling of tree with bat potential advised*

Comments

1. Reports: *The application is supported by the following ecological report by Pearson Associates (NPA): Ecological Impact Assessment (report date 16/12/2021)*

Other reports referenced: Maple Lodge Reserve Hydrogeological Impact Assessment December 2021 Update by H Fraser Consulting, (See planning ref 21/0573/FUL)

2. Bats: *A Preliminary Roost Assessment carried out on the 20th of September 2021 found that the office block B1 had moderate potential for roosting bats. A number of trees were identified during the phase 1 survey as having low potential as bat roosts these included trees T1, T2, T3 and Tree T6, of these only T6 a blue Cedar tree is proposed for removal.*

In line with best practice as outlined by the Bar Conservation Trust, two nocturnal emergence / re-entry surveys are required of the office building to determine presence/absence, and to provide appropriate mitigation to safeguard bats if present and

affected. These surveys can only be carried out in the summer months when bats are active, usually between May and August, or September if the weather remains warm.

If a roost is to be affected, an EPS licence will also be required from Natural England to enable the proposals to be implemented, and consequently this may need to be factored into any development timescale.

The blue cedar tree should be soft felled as a precaution to safeguard any bats present and I advise this is secured by **Condition** for which I suggest the following wording:

“To minimise any risk of impact to bats, the trees identified as having potential to support roosting bats should be soft felled where limbs are cut and left grounded over night to allow any bats to make their way out. In the event of bats or evidence of them being found, work must stop immediately, and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England.”

3. Other Protected Species: No further surveys for other protected species were suggested, I have no reason to disagree with this conclusion. Precautionary Measures are listed in Table 5.1 (Potential Impacts and Mitigation) to safeguard breeding birds, reptiles and bats with regards to lighting and should be followed in full.

4. Habitats: An Extended Phase 1 Habitat Survey was carried out on the 27 August 2021. In addition to the planted trees and shrubs associated with the sites former use, the habitats on site consisted of secondary vegetation that has colonised the site since cessation of its use such as scrub ephemeral and ruderal vegetation. These are not without ecological value at the local level but are not rare or notable and do not represent a significant constraint to the proposal. The application will also result in the removal of seven trees. This habitat loss unmitigated will result in a biodiversity net loss.

5. Statutory Sites and Local Wildlife Site. The site falls in to a SSSI impact area if the warehouse, provides a total net additional gross internal floorspace following development of 1,000m² or more Natural England should be consulted. Maple Lodge Nature Reserve, a Local Wildlife Site (LWS), is present 370m to the south of the Site. Maple Lodge Nature Reserve, a Local Wildlife Site (LWS), is 370m down slope of the site.

6. Hydrology: The stream mapped 20m south-east of the site flows into Clubhouse Lake and then marsh lake within Maple Lodge Nature Reserve Local Wildlife Site. This raise concerns as to how the proposal may affect this Local Wildlife Site. The phase 1 environment report acknowledged that shallow ground water underlying the site is likely to be in hydraulically continuity with the drainage ditch which feeds into this stream. A Hydrogeological Impact Assessment carried out for a different application (ref 21/0573/FUL) on adjacent land down slope of the site found that the stream was fed from a 67ha catchment area and that 32% of the inflow into the lakes was from the stream, with the remaining amount from other sources (5 % is from direct rainfall, 2% is from the RTS aquifer and 61% is from the Chalk aquifer). However, its hydrological model also stated that it was likely that Clubhouse Lake is mainly fed by the river.

The application site covers an area of 0.78 hectares and is made up mainly of hard standing and buildings from which surface drainage feeds into the local sewage system. I understand the water from the road and carparks resulting from the new development will continue to be discharged into this sewage system. The application will also result in an increase in the area of permeable surfacing. If the findings of the hydrological reports for the adjacent application are correct, given the relative size of the present application and increased permeability of the surfaces proposed, it seems likely that the proposed development will not have a significant negative impact on the hydrology of the maple lodge Local Wildlife Site.

7. Enhancement: The ecological report details that six swift nest boxes will be installed on the buildings I advise these should be demonstrated on a biodiversity enhancement plan and secured by **Condition**.

8. Biodiversity Net Gain: The proposed landscape plan includes the planting and sowing of a range of plants that will deliver a biodiversity benefit to the site including native shrubs, sowing of wildflower meadow areas native hedge planting and the use of wildlife attracting ground cover. Whilst I support these measures, their scale is limited by the size of the development and whilst they provide a level of compensation for the removed vegetation as no biodiversity metric has been provided it is not possible to ascertain whether the application achieves a biodiversity net gain. If the LPA is seeking a measurable biodiversity net gain from the development, a full NE Biodiversity Metric (v 3) should be completed.

5.1.9 Hertfordshire County Council Growth and Infrastructure Unit: [No comments]

Hertfordshire County Council's Growth & Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within your CIL zone and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

We therefore have no further comment on behalf of these services, although you may be contacted separately from our Highways Department.

5.1.10 Minerals and Waste Team (HCC): [Advisory comments provided]

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. It should be noted that British Geological Survey (BGS) data also identifies superficial sand/gravel deposits in the area on which the application falls.

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

The county council, as the Minerals Planning Authority, would like to encourage the opportunistic use of these deposits within the developments, should they be found when creating the foundations/footings. Opportunistic use of minerals will reduce the need to transport sand and gravel to the site and make sustainable use of these valuable finite resources.

- 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;

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;

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 Borough Council.

Safeguarded Waste Site

The proposed development site is located west of the Safeguarded Area SA143 STW Maple Lodge. It should be noted that Maple Lodge Sewage Treatment Works is a permanent existing operational waste site which is safeguarded under Waste Policy 5: Safeguarding of Sites, in the county council's Waste Core Strategy and Development Management Policies document, adopted November 2012 as they contribute to a strategic network of waste management provision within the county. Whilst the county council does not object to this proposed development, any further proposals should not prejudice the site's use a sewage treatment works.

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

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 2no. warehouses has taken into account the need to mitigate any negative impacts (such as noise, dust and odour) arising from the proximity to the existing sewage treatment works facility.

5.1.11 Local Lead Flood Authority (HCC): [No comments received. Any comments received after the publication of this report will be verbally updated].

5.1.12 Environment Agency: [No objection]

It appears that although its located in SPZ1 the previous and proposed use are not polluting and the twin storage tanks are located above ground so not an issue for us.

5.1.13 Affinity Water: [Initial comments – Objection]

You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone 1 (SPZ1) corresponding to our Pumping Station (SPRW). This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.

We currently object to this application and require the submission of further information that considers our concerns below:

- *Creating pathways between shallow gravel groundwater and deep chalk groundwater potentially allowing naturally occurring manganese present in the gravel aquifer to migrate to the Chalk.*
- *Turbidity during excavation works including piling, potentially causing our borehole to abstract groundwater with turbidity reaching above 1NTU and shut down.*
- *Foundation works and especially piling potentially blocking significant fissures in the Chalk, hence creating a “curtain” effect. This could cause the flow paths to change around our sources, potentially causing greater drawdown for the same output or differences in water chemistry.*

The conditions below are typical of what we would ask for similar developments of this nature and are included for your reference. At this time, it is our view that the development as proposed represents a significant risk to groundwater, however once our concerns as set out above have been addressed, we may ask for the following conditions to be applied to the development should it be approved:

1. Contamination including turbidity

Any works involving excavations that penetrate into the Chalk aquifer below the groundwater table (for example, piling or the installation of a geothermal open/closed loop system) should be avoided. If these are necessary, then the following condition needs to be implemented:

Condition

A) *No works involving excavations (e.g. piling or the implementation of a geothermal open/closed loop system) shall be carried until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:*

i) An Intrusive Ground Investigation *to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.*

ii) A Risk Assessment *identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination including turbidity.*

iii) A Method Statement *detailing the **depth** and **type** of excavations (e.g. piling) to be undertaken including **mitigation measures** (e.g. turbidity monitoring, appropriate piling design, off site monitoring boreholes etc.) to prevent and/or minimise any potential migration of pollutants including turbidity or existing contaminants such as hydrocarbons to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.*

The applicant or developer shall notify Affinity Water of excavation works 15 days before commencement in order to implement enhanced monitoring at the public water supply abstraction and to plan for potential interruption of service with regards to water supply.

Reason: *Excavation works such as piling have the potential to cause water quality failures due to elevated concentrations of contaminants including turbidity. Increased concentrations of contaminants, particularly turbidity, impacts the ability to treat water for public water supply. This can cause critical abstractions to switch off resulting in the*

immediate need for water to be sourced from another location, which incurs significant costs and risks of loss of supply during periods of high demand.

2. Contamination during construction

Construction works may exacerbate any known or previously unidentified contamination. If any pollution is found at the site, then works should cease immediately and appropriate monitoring and remediation will need to be undertaken to avoid any impact on water quality in the Chalk aquifer.

Condition

B) *If, during development, contamination not previously identified is found to be present at the site, then no further development 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 in consultation with Affinity Water. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.*

Reason: *To ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water.*

3. Infiltration

Surface water should not be disposed of via direct infiltration into the ground via a soakaway.

Condition

C) *Prior to the commencement of development, details of a **Surface Water Drainage Scheme** that **does not include infiltration** shall be submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water.*

Reason: *To provide confirmation that direct infiltration via soakaways will not be used due to the potential presence of contaminated land and the risk for contaminants to remobilise causing groundwater pollution potentially impacting public water supply.*

4. Drainage

The onsite drainage system should incorporate an oil/water interceptor to prevent petrol/oil being discharged into the surface and groundwater network.

Condition

D) *Prior to the commencement of development, details of the **Drainage Scheme** confirming the use of an **oil/water interceptor** shall be submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water.*

Reason: *To provide confirmation that an oil/water interceptor will be used to prevent oil and hydrocarbons from particular areas of the development being discharged into surface water and/or groundwater.*

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

Water efficiency

Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling, help the environment by reducing pressure for abstractions in chalk stream catchments. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough.

Infrastructure connections and diversions

There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures.

This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com.

In this location, Affinity Water will supply drinking water to the development. To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.

5.1.13.1 Following the submission of further information revised comments were received: [No objection, subject to conditions]

You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone 1 (SPZ1) corresponding to our Pumping Station (SPRW). This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.

After discussions with the developer following our letter dated 14/02/22, we are now prepared to remove our objection subject to the following conditions:

1. Contamination including turbidity

Any ground excavations should be informed by appropriate investigations to ensure there is no mobilisation of contaminants towards public water supply abstraction.

Condition

A) *Prior to the commencement of any excavations (e.g. piling or the implementation of a geothermal open/closed loop system) the following should be submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:*

i) *An **Intrusive Ground Investigation** to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.*

ii) *A **Risk Assessment** identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination including turbidity.*

iii) *A **Method Statement** detailing the **depth** and **type** of excavations (e.g. piling) to be undertaken including **mitigation measures** (e.g. turbidity monitoring, appropriate piling design, off site monitoring boreholes etc.) to prevent and/or minimise any potential migration of pollutants including turbidity or existing contaminants such as hydrocarbons to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.*

The applicant or developer shall notify Affinity Water of excavation works 15 days before commencement in order to implement enhanced monitoring at the public water supply abstraction and to plan for potential interruption of service with regards to water supply.

Reason: *Excavation works such as piling have the potential to cause water quality failures due to elevated concentrations of contaminants including turbidity. Increased concentrations of contaminants, particularly turbidity, impacts the ability to treat water for public water supply. This can cause critical abstractions to switch off resulting in the immediate need for water to be sourced from another location, which incurs significant costs and risks of loss of supply during periods of high demand.*

2. Contamination during construction

Construction works may exacerbate any known or previously unidentified contamination. If any pollution is found at the site, then works should cease immediately and appropriate monitoring and remediation will need to be undertaken to avoid any impact on water quality in the Chalk aquifer.

Condition

B) *If, during development, contamination not previously identified is found to be present at the site, then no further development 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 in consultation with Affinity Water. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.*

Reason: *To ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water.*

3. Infiltration

Surface water should not be disposed of via direct infiltration into the ground via a soakaway.

Condition

C) *Prior to the commencement of development, details of a Surface Water **Drainage Scheme** that **does not include infiltration** shall be submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water.*

Reason: *To provide confirmation that direct infiltration via soakaways will not be used due to the potential presence of contaminated land and the risk for contaminants to remobilise causing groundwater pollution potentially impacting public water supply.*

4. Drainage

The onsite drainage system should incorporate an oil/water interceptor to prevent petrol/oil being discharged into the surface and groundwater network.

Condition

D) *Prior to the commencement of development, details of the **Drainage Scheme** confirming the use of an **oil/water interceptor** shall be submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water.*

Reason: *To provide confirmation that an oil/water interceptor will be used to prevent oil and hydrocarbons from particular areas of the development being discharged into surface water and/or groundwater.*

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

Water efficiency

Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling, help the environment by reducing pressure for abstractions in chalk stream catchments. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough.

Infrastructure connections and diversions

There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures.

This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com.

In this location, Affinity Water will supply drinking water to the development. To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or w_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.

- 5.1.14 Thames Water: [No comments received. Any comments received after the publication of this report will be verbally updated].
- 5.1.15 Herts & Middlesex Wildlife Trust: [No comments received. Any comments received after the publication of this report will be verbally updated].
- 5.1.16 Maple Lodge Conservation Society: [Object]

Thank you for notifying us of the application for the proposed demolition of the existing office block and multi-storey car park and redevelopment to provide 6 no. warehouses for a flexible range of employment uses (within Classes E(g)(iii), B2 and / or B8) with ancillary offices together with associated works.

We have read the Phase 1 Environmental Assessment which gives the reasons for the site setting being of high environmental sensitivity. Therefore, based on the information currently available, we wish to object for the following reasons:

- 1) *Potential risks to groundwater in Environment Agency designated Source Protection Zone 1.*
- 2) *Potential risks to the stream south-east of the site, which is designated by the Environment Agency as a main river. This flows into Maple Lodge Nature Reserve, a Local Wildlife Site with Section 41 habitats and species.*

- 5.1.17 Colne Valley Partnership: [No comments received. Any comments received after the publication of this report will be verbally updated].

5.1.18 Natural England: [No comments received. Any comments received after the publication of this report will be verbally updated].

5.2 Public/Neighbour Consultation

5.2.1 Number consulted: 123

5.2.2 No of responses received: 23 objections including from Maple Cross & West Hyde Residents Association. Some objections were combined with planning application 21/0573/FUL (now allowed at appeal).

5.2.3 Site Notice: Expired 23.02.2022.

5.2.4 Press Notice: Expired: 25.02.2022

5.2.5 Summary of Responses:

- Incremental HGV traffic
- High levels of congestion and pollution
- Area already over-run
- Need actual everyday amenities – converting existing building into an ice rink / home
- Close proximity to Reach Free School – potential hazard from lorry traffic
- Health risk
- Warehousing does not create a large number of job
- Cause amenity loss to Woodoaks Farm
- Negative impacts on Maple Cross Conservation Society Reserve through noise / pollution
- General degradation of amenity
- Warehouses have been flagged by UKGOV as most susceptible to robotic automation

Summarised comments from Maple Cross & West Hyde Residents Association:

- No other business operates on a 24/7 basis – this must be robustly challenged
- Do not feel industrial units are suitable or appropriate business for this area
- We already experience exceedances of PM2 & PM10 in our area
- Warehouses provide very few jobs
- Concerned about the type of business under B2 classification
- Deep concern for cyclists, pedestrians, especially children walking to and from school
- Noise mitigation must be put in place
- Trees must be protected
- Building should be set back from A412
- Unlikely to benefit local economy

Officer comment: The above material planning considerations will be discussed within the following planning analysis sections.

Nevertheless it should be emphasised that the application site falls within an allocated employment site and thus the principle of business, industrial and storage or distribution uses is accepted, with the site positioned on the edge of Maple Cross away from the residential areas.

5.3 Statement of Community Involvement:

5.3.1 A public consultation was undertaken by the applicant prior to the submission of the planning application. A flyer was sent in October 2021 to all properties within Maple Cross. A total of 1,181 flyers were distributed to local residents and businesses. A total of 8 responses were received, 1 positive, 6 negative and 1 was an acknowledgement. The

concerns predominately related to highway safety, local employment, understanding the exact use of the units and its 24/7 hour operation.

6 Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

In July 2021 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The 2021 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 retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits unless there is a clear reason for refusing the development (harm to a protected area). Relevant chapters include: Chapter 2; Chapter 4; Chapter 6; Chapter 8; Chapter 9; Chapter 11; Chapter 12; Chapter 14; Chapter 15 & Chapter 16.

6.2 The Three Rivers Local Development Plan

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

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies PSP3, CP1, 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 DM3, DM4, DM6, DM7, DM8, DM9, DM10, DM13 and Appendix and 5.

Policy SA2 and site E(d) of The Site Allocations Local Development Document (SALDD) was adopted on 25 November 2014 having been through a full public participation process and following Examination in Public.

6.3 Other

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

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

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

Planning Practice Guidance (NPPG)

South West Herts Economic Study Update 2019 (SWHES)

Article 4(1) Direction 2016 for Maple Cross/Maple Lodge Employment Area restricting Office and Light Industrial to Residential Developments.

7 Reason for Delay

7.1 Waiting for comments from statutory consultees.

8 Planning Analysis

8.1 Principle of development:

- 8.1.1 The application site falls within a Secondary Centre as set out within Policy PSP3 of the Core Strategy. This policy states that development will focus future development on sites within the urban area, on previously developed land and to maintain and enhance employment opportunities.
- 8.1.2 The application site also falls within an allocated employment area in the Site Allocations LDD. The Site Allocations LDD identifies the District's needs for employment land to 2026 and following a number of studies found that there was a slight under supply of industrial and warehousing space amounting to 3.5ha. Within an appeal dated 21st September 2020 (APP/P1940/W/19/3243565) at Land to the north of Maple Cross Lodge (within the same employment area) it was accepted by the Inspector that whilst the evidence that informed the Core Strategy is not particularly recent, there was no compelling evidence to suggest that there is no longer a need for modern, flexible warehouse/industrial space such as that proposed. On that basis the Inspector agreed that there remains a need for employment floorspace within the District.
- 8.1.3 Policy SA2 makes clear that employment sites such as Maple Cross / Maple Lodge (site reference E(d)) is safeguarded for business, industrial and storage or distribution uses. This policy is an important mechanism for delivering the overall vision and objectives for the spatial development of the area as set out within the Core Strategy. The policy enshrines the principle that particular forms of development can be located on identified sites.
- 8.1.4 Policies CP1 and CP6 of the Core Strategy seek to maintain high levels of economic growth and employment by continuing to focus employment use within key employment areas which includes the Maple Cross Business Park where the application site is located.
- 8.1.5 The South West Herts Economic Study Update 2019 (SWHES) (not referred to within the above appeal) provides an objective assessment of long term employment land and premises needs over the period 2018 to 2036, and the current and future supply of employment land. It recommends that all existing allocated sites are retained for employment uses. The same study identifies that there is now a large demand for B8 warehousing, partly due to the huge demand for online shopping which has been exacerbated since the Coronavirus pandemic. This is backed up by the comments made by the Local Plan's section at the Council who confirmed that there is an estimated need for 21,945sqm of industrial floorspace over the period 2018 to 2036 with an identified oversupply of office space during the plan period to 2036.
- 8.1.6 Concerns have been raised concerning the loss of the office building and the net loss of employment if the warehouses were to be built. It should be noted that the removal of the office building has already been accepted and the LPA has permitted its demolition via 21/1834/PDND (including removal of the multi storey car park). To date, only a soft internal strip has occurred but the building remains in situ which is why it forms part of the proposed development.
- 8.1.7 Nevertheless, the LPA notes that the office building provided approximately 57,000sqm of employment floorspace and this current scheme would provide 3,322sqm of employment floorspace. Whilst there would be a net loss in floorspace across the site it has been evidenced that there is currently an oversupply of office space in the district which would collaborate the fact that the office building has been vacant for over 6 years. In addition

significant cost would also be required to update the office building given its Grade B accommodation status which is not as popular as Grade A.

- 8.1.8 Notwithstanding the above the proposed development would still be an employment generating use which would benefit from excellent connections with the strategic road network. The applicant has provided further supporting information that the development could support between an estimated 51 and 92 gross full time equivalent jobs, depending on the make-up of the proposed uses. Additionally since the Coronavirus pandemic the way in which office based businesses work has also altered, in many cases. Nevertheless, the proposed development would be proposing flexible uses, meaning that the development would be able to respond to market demands quickly, ensuring low vacancy rates, adding important vitality to the area which has dissipated since the last tenants of the office building vacated.
- 8.1.9 Due to the Government changes to the Use Class Order, it is recognised that Class E has been introduced which includes an array of different uses. This application scheme seeks to ensure that the buildings can move between various different uses without the need to apply for planning permission, as follows:
- Class E(g)(iii) – any industrial purpose (being a use, which can be carried in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.
 - B2 (general industry)
 - B8 (storage and distribution)
- 8.1.10 Any of the above uses would also benefit from ancillary office facilities, which are proposed within all units.
- 8.1.11 In summary, whilst noting a reduction in employment floorspace, the principal of the proposed development is considered acceptable and would importantly comply with the strategic aims of Policy SA2 of the Site Allocations LDD which must be given significant weight.

8.2 Design, impact on landscape, streetscene and character of area

- 8.2.1 Policy CP1 of the Core Strategy seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.
- 8.2.2 The existing office building by virtue of its design and scale is a prominent building when viewed from Denham Way and surrounding vantage points, especially when approaching the site from the nearby roundabout where views are exacerbated by the lack of development on the adjoining site to the north. To the rear of the site is a two storey car park which would be demolished to make way for Units 5 & 6. The car park is a purpose built concrete structure which offers little in the way of architectural merit.
- 8.2.3 The proposed buildings would be of contemporary design with the use of profiled cladding, metal insulated panelling of varying colours (blue and grey) and aluminium framed windows and doors.
- 8.2.4 This proposed pallet of materials and colour variation would give the development an acceptable degree of visual interest. At the pre-application stage it was advised that greater

visual interest in terms of materials and/or fenestration should be introduced into the north western flank elevation (facing Denham Road) to enable a more active frontage. Minor alterations have been added during the application process with full-height blue strips at both ends of building 1. Nevertheless, it is recognised that the north western elevation would not directly face onto Denham Way and would be separated by soft landscaping which would comprise of the existing significant individually protected trees which would help to soften the elevation. Further, building 1 would be far lower in height than the existing office building thus reducing its prominence within the streetscene.

- 8.2.5 In terms of layout, building 1 would be contained towards the front and central part of the site and building 2 towards the rear. The north eastern elevation of building 1 would be significant in terms of its length at 87m. It is accepted that views of this elevation will be largely screened if the adjacent hotel was developed; however, as it stands no work has progressed above ground. Nevertheless when compared with the current views of the existing office building and car park from Denham Way, it is not considered that the new buildings would have an unacceptable impact on the streetscene and character of the area which comprises a collection of office buildings. Whilst extending deep into the site, given the flat roof form, use of different materials and overall height, when compared with the office building at 15m, this elevation is considered acceptable.
- 8.2.6 Building 2 would face in a north westerly direction and therefore would be on a different building line to building 1. Views of Building 2 at present would be visible from the Thames Water service road as the site to the immediate rear is currently undeveloped. However, given its positioning, overall scale, and the fact it would be viewed in conjunction with existing commercial development it is not considered to appear out of character or unduly prominent.
- 8.2.7 Due to the layout of the development and relationship with the adjacent office building to the south, the majority of the service and delivery areas would not be readily visible, especially those serving Units 4, 5 and 6 which are sited towards the rear of the site. Those service and delivery areas which would be visible are set back significantly from Denham Way with car parking areas appearing more dominant towards the front. Existing landscaping along the southern boundary is to be retained which would help soften views of the areas of hard surfacing.
- 8.2.8 The boundary treatments are to remain as per existing. These include palisade fencing 2m in height to the north eastern and south eastern boundaries and a wall to the south western boundary. The boundary treatment to the front would be open in character whilst the frontage area surrounding the protected trees would be enhanced with the removal of existing hard surfacing with a wildflower meadow area.
- 8.2.9 In terms of external lighting, low level lighting such as bollards are proposed to ensure minimal light spill close to the site boundaries. Within the site and generally enclosed by the proposed buildings, 6m high lighting columns are proposed to ensure that the internal access road is suitably lit throughout the day and night. It is not considered that the lighting proposed would be unacceptable nor have an adverse impact on the character of the area.
- 8.2.10 To safeguard the visual amenity of site and surroundings it is considered reasonable to impose a condition which ensures that no external storage occurs.
- 8.2.11 Policy DM7 of the Development Management Policies LDD seeks that the Council will require proposals to make a positive contribution to the surrounding landscape and that proposals would unacceptably harm the character of the landscape in terms of siting, scale, design or external appearance will be refused planning permission.
- 8.2.12 In terms of a wider landscape impact, the application site is located within a low lying position when viewed within its wider context and within its landscape character area, Maple Cross slopes. Any long distance views from the higher ground of the Maple Cross slopes

to the north and elevated view from the Hillingdon Trail to the south east are limited and seen in the context of existing commercial development. Further, the building would be less prominent than the existing office building which is beneficial in terms of the impact on the wider landscape. The retention of the trees and use of different coloured materials will ensure that no harm to the wider landscape would arise.

8.2.13 In light of the above, it is considered that the proposed development would comfortably integrate within the streetscene and would not have a detrimental impact on the character of the area nor have any wider landscape implications. The development would accord with Policies CP1 and CP12 of the Core Strategy and Policy DM7 of the Development Management Policies LDD.

8.3 Impact on designated heritage assets

8.3.1 The application site is not located within a conservation area however the surrounding area does contain a number of listed buildings including; the barn about 100 metres north of Woodoaks Farmhouse (list entry: 1100878), the building immediately north-west of Woodoaks Farmhouse (list entry: 1100877), Maple Lodge (list entry 1173687) and the Barn to west of Maple Lodge adjoining Maple Close (list entry: 1100856).

8.3.2 Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the decision-maker shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

8.3.3 Policy DM3 of the Development Management Policies LDD states that there will be a presumption in favour of the retention and enhancement of heritage assets.

8.3.4 Paragraph 199 of the NPPF advises 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. Whilst paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

8.3.5 The listed buildings at Woodoaks Farm derive from the agricultural use of the area which has already been harmed by the office developments along Denham Way and subsequent residential expansion of Maple Cross. As such given what is currently on site it is not considered that the development would result in any further harm to the setting of the listed buildings immediately opposite nor those on Maple Lodge Close. The Conservation Officer has also commented that the replacement buildings would be approximately 5m lower in height and although the proposed new warehouses would occupy a larger footprint than the existing building, the new development would not encroach into the surrounding greenspace to the east.

8.3.6 It is recognised that noise associated with the development could also affect the significance and/or setting of the heritage assets. However, in this instance it is not considered that any noise associated with the use, given the immediate context and the fact levels would not be excessive, as well as controlled, would have a detrimental impact on nearby heritage assets.

8.3.7 As such, it is not considered that the development would further diminish the rural setting of the listed buildings in close proximity.

8.4 Impact on neighbouring buildings and residential amenity

8.4.1 Policy CP12 of the Core Strategy (adopted October 2011) states that the Council will expect development proposals to protect residential amenities.

- 8.4.2 There are no immediate residential properties adjacent to the application site so the proposed building would not result in any loss of light or appear unduly prominent.
- 8.4.3 To the south west is an existing office building. Due to the layout and siting of the proposed buildings, they would not have a detrimental impact on the office building in terms of overshadowing or loss of light/visual impact.
- 8.4.4 The vacant site to the north benefits from a Lawful Development Certificate (18/0401/CLPD) which confirmed that a material commencement had occurred in respect of planning permission 07/1401/FUL. This planning permission was for the erection of a four storey hotel. As it stands, no work has continued since the issuing of the Lawful Development Certificate; however, on the basis that a material commencement has occurred, regard must be had when considering the impact on the hotel development. Nevertheless, the majority of approved hotel guest rooms would be located to the north of the adjacent site, away from the application site with the ancillary rooms such as plant rooms and meeting rooms located adjacent to the application site. When factoring in the layout of the proposed buildings and the layout of the hotel development it is not considered that the development would have a detrimental impact on the hotel development should it be developed. This is explored further below.

Pollution - Noise impact

- 8.4.5 Policy DM9 of the Development Management Policies LDD states that planning permission will not be granted for development which has an unacceptable impact on the indoor and outdoor acoustic environment of existing or planned development.
- 8.4.6 Paragraph 180 of the Framework states that planning decisions should ensure that new development is appropriate for its location. It advises that potential adverse impacts resulting from noise from new development should be mitigated and reduced to a minimum, and that decisions should avoid noise giving rise to significant adverse impacts on health and the quality of life.
- 8.4.7 The PPG acknowledges that there is not a simple relationship between noise levels and those affected. This is dependent on a number of factors including the time of day it occurs, the prevailing sound environment, and the nature of the noise itself. It confirms that a range of mitigation measures can be used to minimise any adverse effects of noise.
- 8.4.8 The proposed development is being taken forward on a speculative basis, meaning the future occupiers of the units are unknown at this stage. The proposed development also seeks to operate from the application site throughout the day and night. This has been a source of objection from local residents due to concerns with noise and disturbance.
- 8.4.9 As part of the application a Noise Assessment Report (NAR) has been submitted. The NAR at section 8 presents a worst-case assessment of the total cumulative noise impact of the proposed development in terms of the building services plant, delivery vehicle movements and internal noise transmission. The NAR confirms that the noise emissions associated with the above activities have been assessed in accordance with the methodology and guidance specified in BS 4142 and are predicted to correlate with a *“low noise impact”* during daytime and night-time periods.
- 8.4.10 In terms of external plant, the NAR establishes plant noise emission limits (Section 5.1 of the NAR) and noise control measures (Section 5.2 of the NAR) which the proposed development will comply with to ensure the noise and disturbance is minimised during daytime and night-time periods. Such mitigation includes locating external plant away from noise sensitive properties, housing of certain items of building services plant within internal plantrooms, use of low-noise fans (including night set-back modes) and acoustic attenuation. Nevertheless, due to the speculative nature of the development and to ensure a degree of control, the erection of all external plant would be subject to a planning condition

which is discussed further below. Nevertheless, in some circumstances, external plant depending on its size may require planning permission in its own right.

- 8.4.11 In terms of vehicle movements, the predominate delivery activities on site would be undertaken by an Ordinary Goods Vehicle (OGV). Therefore typical noise impacts would include engine noise, reverse beeper and loading and unloading of goods. There would also be other impacts from car arrivals, manoeuvres and departures. The NAR submits that car movements and OGV movements would be a low with potentially up to 4 OGV movements within every hour during the night. The NAR concludes that due to distance attenuation and screening attenuation (presence of the buildings) that the noise impacts arising from vehicle movements during the day (07:00 to 23:00 hours) at 30db would be lower than the typical existing background noise level (54dB). At night (23:00 to 07:00 hours) the noise is also considered to be lower (34dB) than the typical existing background noise (43dB).
- 8.4.12 The NAR does not consider the adjacent office building to be noise sensitive due to a variety of factors including daytime use only, generally no openable windows and less sensitive occupants. The Environmental Health Officer agrees with this assessment. The night-time use of the application site does not require consideration at the office building, as it is unlikely to be occupied during night time hours.
- 8.4.13 In terms of the nearest residential properties, these are 200m away and thus are not considered to be impacted by the development. It should be noted that building 2 would also act as a sufficient acoustic measure, preventing noise travelling towards the south, where properties on Longmore Close are located. It may well be that local residents of Maple Cross would notice a change in the noise environment, but such a change would not be so significant as to adversely affect their quality of life.
- 8.4.14 In addition to the conclusions of the NAR which demonstrate that the proposed development is acceptable in terms of noise and disturbance, the Council's Environmental Health Officer has reviewed the planning application and, in their consultation response has not raised any concerns in relation to noise or disturbance or to the proposed 24/7 operations at the site, subject to acoustic fencing to nearby noise sensitive properties (hotel development), sensitive placing of external plant and enclosing external fans. Details of the acoustic fencing are awaited at the time of the report.
- 8.4.15 Nevertheless, given the speculative nature of the development, it is considered that a condition to ensure that noise levels on site (including the erection of internal and external plant) do not exceed more than 5db above background levels to the nearest to sensitive property are considered reasonable and necessary.

Pollution - Light impact

- 8.4.16 Policy DM9 of the Development Management Policies LDD states that lighting proposals which include external lighting should ensure that:
- i) Proposed lighting schemes are the minimum required for public safety and security
 - ii) There is no unacceptable adverse impact on neighbouring or nearby properties
 - iii) There is no unacceptable adverse impact on the surrounding countryside
 - iv) There is no dazzling or distraction to road users including cyclists, equestrians and pedestrians
 - v) Road and footway lighting meets the County Council's adopted standard
 - vi) There is no unacceptably adverse impact on wildlife
 - vii) Proposals in the vicinity of habitats and habitat features important for wildlife ensure that the lighting scheme is sensitively designed to prevent negative impacts on use of these habitats and habitat features.

- 8.4.17 The development will include a variety of different light sources, from 1m high bollards adjacent to the north eastern and south western boundaries, 6m high lighting columns serving the internal road and wall mounted LED lights to the front of the buildings.
- 8.4.18 The submitted lighting illumination levels indicate that no unacceptable levels of light would escape the application site, with any lighting adjacent to undeveloped parcels of land (including the extant hotel site) planned sensitively to ensure it is at a low level and does not spill unacceptably into neighbouring land as well as safeguarding wildlife (discussed in more detail at section 7.10). It is therefore considered that the development accords with Policy DM9 of the Development Management Policies LDD.

Pollution – Air Quality

- 8.4.19 Paragraph 170 of the NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment by amongst other considerations:

(e) Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;

- 8.4.20 The NPPG provides guidance as to when air quality would be relevant to a planning decision. In summary, it states that when deciding whether air quality is relevant to planning application, considerations could include whether the development would, amongst other considerations:

- *Significantly affect traffic in the immediate vicinity of the proposed development site or further afield.*
- *Introduce new point sources of air pollution eg. furnaces.*
- *Give rise to potentially unacceptable impact (such as dust) during construction for nearby sensitive locations.*

- 8.4.21 In relation to air quality, Policy DM9 of the Development Management Policies LDD (adopted July 2013) advises that development will not be permitted where it would:

i. Have an adverse impact on air pollution levels, particularly where it would adversely affect air quality in an Air Quality Management Area and/or

ii. Be subject to unacceptable levels of air pollutants or disturbance from existing pollutant sources.

- 8.4.22 The application site is not within an Air Quality Management Area; however, an air quality management area (AQMA) has been declared at Chorleywood covering a section of the M25 to the north and south of junction 18. South Bucks District Council have also declared an AQMA covering the M25 approximately 3.1km to the southwest of the application site. Both AQMA have been declared due to exceedances of the annual mean nitrogen dioxide objective.

- 8.4.23 An Air Quality Assessment prepared by Kairus Ltd (dated 18 November 2021) has been submitted with the application. The scope of the assessment was agreed with the Environment Protection Officer. The assessment deals with the vehicular activity during the construction phase, dust emissions during construction and the operational impacts when the development has been carried out. In respect of the construction phase it is not considered that the number of heavy duty vehicles (HDV) generated on the road network on any given day would be more than 20-25, which accords with the EPUK & IAQM air quality guidance assessment criteria. It is therefore anticipated that the construction traffic generated would result in a negligible impact. With regards to dust emissions, the

assessment proposes various mitigation measures during construction works and the report concludes that with these mitigation measures in place, the residual impacts from the construction phase are considered to be 'insignificant'. To ensure that these mitigation measures are undertaken (as per Appendix D of the Air Quality Assessment) it is recommended that it is attached as a condition on a grant of planning permission. In terms of operational impacts the development will result in a significant reduction in vehicle trips when compared to its existing lawful use. Nevertheless, it is recognised that the development would generate an increase number of HDV; however, any increase in emissions from these vehicles is considered to be offset by the reduction in the total number of vehicle trips when compared to the lawful use of the site, which is potentially a significant reduction. Notwithstanding this, a number of mitigation measures have been incorporated into the design, such as submission of a travel plan to reduce single occupancy car travel, provision of an electric charging point for each unit, inclusion of photovoltaic cells and air source heat pumps to provide electricity, heat and hot water to all units.

- 8.4.24 The Environmental Protection Officer has considered all of the submitted information. They agree with the methodology and the approaches to dust and traffic impacts. They also agree with the findings of the report and that there would be no adverse impact on air quality as a result of the development.
- 8.4.25 The Environmental and Protection Officer recommends conditions and informatives relating to: the submission and approval of a dust management plan; use of Euro 6 vehicles where possible, and following relevant guidance such as the IAQM guidance. These are considered both reasonable and necessary.
- 8.4.26 In summary, in view of the specialist advice received, there would be no adverse impacts with regards to air quality as a result of the development. The proposed development complies with the NPPF (2019) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

8.5 Impact on highway safety, sustainable travel and parking levels

- 8.5.1 Policy CP10 of the Core Strategy states that all development proposals should be designed and located to minimise the impacts of travel by motor vehicle on the District. In particular, major development will be expected to be located in areas of highly accessible by the most sustainable modes of transport, and to people of all abilities in a socially inclusive and safe manner. The NPPF at paragraph 111 states that developments should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.5.2 The application site is served by an existing priority T-junction with Denham Way, a single-carriageway road and designated as a classified A (A412) main distributor road, subject to a speed limit of 40mph. There is a shared cycle/footway on the eastern side of Denham Way (adjacent to the application site) and a signal controlled pedestrian crossing approximately 50m south of the access.
- 8.5.3 The proposed development would utilise the existing highway access which, as confirmed by the Highway Authority is of a size and design suitable for access for heavy goods vehicles (supported by tracking and swept path analysis). Whilst acknowledging the level of concern in respect of pedestrian safety, especially in relation to children walking to and from Maple Cross, the Highway Authority have confirmed that the level of visibility at the access is acceptable and there are existing pedestrian drop kerbs and tactile paving on either side of the access. There is also a signalised crossing available to the north as an alternative. Further the Highway Authority have confirmed that there are no records of any highway accidents with the use of the existing access nor within the immediately vicinity of the application site.

- 8.5.4 In terms of trip generation the Trip Rate Information Computer System (TRICS) has been used to determine and compare the existing vehicle trip generation (based on the current lawful use) to the anticipated traffic levels for the proposed uses. The proposals have been predicated as generating up to 403 two-way vehicular trips between 0600 to 1900 hours, 39 two-way trips in the AM peak (0800-0900) and 25 two-way trips in the PM peak (1700-1800). The submitted Transport Statement also predicts 23 two-way OGV trips between 0600-1900 hours with 2 two-way trips in the AM peak and 1 two-way trip in the PM peak. Based on the submitted information, the Highway Authority have confirmed that the number of vehicle trips associated with the proposed uses would not be considered as severe nor significant whilst, importantly, the anticipated number of trips is less than for the currently approved use of the site by 330 vehicular trips across the daily period. Whilst it is acknowledged that the development will result in an increase in OGV movements; it is considered that the close proximity of the site to the M25 means that the majority of vehicular movements will not affect the wider highway network.
- 8.5.5 Internally within the site a new road would be constructed. The size and design is considered acceptable when viewed against the Roads in Hertfordshire: Highway Design Guide and Manual for Streets. The submitted swept path analysis and tracking plans illustrate that a 16.5m articulated vehicle would be able to utilise the proposed site access arrangements in addition to using the turning area to leave the site in a forward gear. A pedestrian footway would also run through the site which would be well lit.
- 8.5.6 A Construction Management Plan would be conditioned to ensure that construction would not have a detrimental impact upon the highway network.

Parking levels

- 8.5.7 Policy DM13 and Appendix 5 of the Development Management Policies LDD set out the car parking requirements for the District. Car parking spaces should be shown on a proposed site layout plan with care taken to ensure that the size of any proposed car parking area is the minimum necessary to facilitate parking.
- 8.5.8 The parking requirements at Appendix 5 require:
- B1(a) Office 1 space per 30sqm
 - B1(c) Light industry 1 space per 35sqm (Classes E(g)(iii))
 - B2 General industry 1 space per 50sqm plus 1 lorry space per 200sqm
 - B8 Storage and distribution 1 space per 75sqm plus 1 lorry space per 200sqm
- 8.5.9 The standards for car parking may be adjusted according to which zone the proposed development is located in. The application site is located within zone 3 where provision of between 50-75% of the standard may be acceptable.
- 8.5.10 The proposed floor areas for Units 1 to 6 combined plus the lowest and highest floor space units are summarised against the parking requirements in the table below:

Proposed Use	Proposed Floor Area	Parking Requirements
Office (B1a) (ancillary use)	6,015ft / 559sqm	559sqm / 30 = 19 spaces (rounded up) Or 9.25 - 14.25 spaces if zonal reduction applied
	Lowest floor area (Unit 5 – 710ft / 66sqm)	66sqm / 30 = 3 spaces (rounded up)

		Or 1.5 – 2.25 spaces if zonal reduction applied
	Highest floor area (Unit 1 – 1,310ft / 121sqm)	121 / 30 = 4 spaces (rounded up) Or 2 – 3 spaces if zonal reduction applied
Light industry (B1c)	29,743ft / 2763sqm	2763sqm / 35 = 79 (rounded up) Or 39.5 - 59.25 spaces if zonal reduction applied
	Lowest floor area (Unit 5 – 4,068ft / 378sqm)	378sqm / 35 = 11 (rounded up) Or 5.5 - 8.25 spaces if zonal reduction applied
	Highest floor area (Unit 1 – 6,350ft / 590sqm)	590sqm / 35 = 17 Or 8.5 - 12.75 spaces if zonal reduction applied
General Industry (B2)	29,743ft / 2763sqm	2763sqm / 50 = 56 spaces (rounded up) Or 28-42 spaces if zonal reduction applied 2763sqm / 200 = 14 lorry spaces (rounded up) Or 7-10.5 spaces if zonal reduction applied
	Lowest floor area (Unit 5 – 4,068ft / 378sqm)	378sqm / 50 = 8 spaces (rounded up) Or 4 – 6 spaces if zonal reduction applied 378 / 200 = 2 lorry spaces (rounded up) Or 1 - 1.5 spaces if zonal reduction applied
	Highest floor area (Unit 1 – 6,350ft / 590sqm)	596sqm / 50 = 12 spaces (rounded up) Or 6 – 9 spaces if zonal reduction applied 596 / 200 = 3 lorry spaces (rounded up) Or 1.5 – 2.25 spaces if zonal reduction applied

Storage and distribution (B8)	29,743ft / 2763sqm	2763sqm / 75 = 37 spaces (rounded) Or 18.5 - 27.75 if zonal reduction applied 2763sqm / 200 = 14 lorry spaces 7-10.5 spaces (rounded)
	Lowest floor area (Unit 5 – 4,068ft / 378sqm)	378sqm / 75 = 5 spaces Or 2.5 – 3.75 if zonal reduction applied 378 / 200 = 2 lorry spaces (rounded up) Or 1 - 1.5 spaces if zonal reduction applied
	Highest floor area (Unit 1 – 6,350ft / 590sqm)	596sqm / 75 = 8 spaces Or 4 – 6 if zonal reduction applied 596 / 200 = 3 lorry spaces (rounded up) Or 1.5 – 2.25 spaces if zonal reduction applied
Total		Parking requirement range
If in all B1c use + ancillary office	3,322sqm	48.75 - 73.5 spaces
If in all B2 use + ancillary office	3,322sqm	37.25 – 56.25 spaces + 7-10.5 lorry spaces
If in all B8 use + ancillary office	3,322sqm	27.75 - 42 spaces + 7-10.5 lorry spaces
Lowest floor area (Unit 5) + ancillary office (all uses)	378sqm	4 – 10.5 spaces + 1 – 1.5 lorry spaces

Highest floor area (Unit 1) + ancillary office (all uses)	590sqm	6 – 15.5 + 1.5 – 2.25 lorry spaces
---	--------	--

- 8.5.11 In summary, the development would generate a requirement for between 27.75 – 73.5 spaces (depending on use) plus for B2 and B8 uses an additional 7-10.5 lorry spaces.
- 8.5.12 In respect of parking levels across the development a total of 30 car parking spaces are shown which includes 6 disabled spaces and 6 electric vehicle charging bays. There is also one lorry space per unit (6 lorry spaces in total).
- 8.5.13 When applied against the parking standards there would be general compliance if all units were to be in a B8 use, albeit there would be a minor shortfall of one lorry space. There would be a significant shortfall if all units were to be in B1(c) or B2 use; however, this would be a worse case scenario given the speculative nature of the development which means that it is highly likely that the units would vary in uses meaning the parking requirements are hard to quantify. The above table also illustrates the individual requirements of the lowest floor space unit (Unit 5) and the individual requirements of the highest floor space unit (Unit 1) against all possible uses with the zonal reduction applied. What this shows is that there is an estimated requirement to provide between 4 -15.5 spaces per unit and 1 – 2.25 lorry spaces per unit across all uses.
- 8.5.14 From the submitted site plan the highest floor space unit (unit 1) has 9 spaces in front with one lorry space. When applied to the parking standards, this unit would comply, albeit with a minor shortfall in 1 lorry space. All other units would have 4 or 5 spaces and 1 lorry space, which would roughly accord the parking standard ranges.
- 8.5.15 In terms of cycle spaces, Appendix 5 sets out the following standards:

B1(a) Office & (b) Research and development	1 short-term space per 500sqm gross floor area plus 1 long-term space per 10 full time staff
B2 General Industry	1 short-term space per 500sqm gross floor area plus 1 long-term space per 10 full time staff
B8 Storage and Distribution	1 long-term space per 10 full time staff

- 8.5.16 The proposed cycle store would have capacity for 18 cycles as well as shower facilities within each unit. The levels would comply with the required standards, as shown below.

Office (B1a) (ancillary use)	559sqm	559 / 500 = 1.1 spaces 51 to 91 employees = 5.1 – 9.1 spaces
Light industry (B1c)	2763sqm	2763sqm / 500 = 5.5 spaces 51 to 91 employees = 5.1 – 9.1 spaces
General Industry (B2)	2763sqm	2763sqm / 500 = 5.5 spaces 51 to 91 employees = 5.1 – 9.1 spaces

Storage and distribution (B8)	2763sqm	51 to 91 employees = 5.1 – 9.1 spaces
-------------------------------	---------	---------------------------------------

- 8.5.17 In terms of disabled parking the parking standards state that for employment generating development for up to a 200 space car park, there should be an individual space for each disabled employee plus 2 spaces or 5% of total capacity, which is greater. The proposed development seeks to ensure that a disabled space is available for every unit which would exceed 5% of total capacity.
- 8.5.18 In light of the above, it is considered that the level of parking provided across the site and to serve each individual unit would be acceptable.
- 8.5.19 Notwithstanding the above, a Car Park Management Plan (CPMP) has been submitted in draft form within the Transport Statement. It states that the site management company will manage the site and will oversee the allocation and leasing of spaces, thereby having the responsibility for issuing permits to each of the six units. This will also assist in controlling on-site parking.

Accessibility, Sustainability & Travel Plans

- 8.5.20 The Highway Authority have commented that the application site is located on the north-eastern side of Maple Cross, within approximately 1.2km of the whole settlement with the edge of Rickmansworth approximately 800m north and the town centre (and train station) approximately 3.5km north east of the site.
- 8.5.21 The application site would be served by a shared cycle/pedestrian path which runs through Maple Cross and Rickmansworth. As part of the application a covered cycle shelter with 18 cycle stands is proposed and the level has been assessed against the standards above and is acceptable.
- 8.5.22 The nearest bus stops are located on Denham Way with the southbound bus stop directly fronting the site and the northbound stop approximately 130m to 150m from the site, both within the desired walking distances, as confirmed by the Highway Authority.
- 8.5.23 To maximise cycling as a form of travel the Highway Authority have recommended that the level and location of the cycle parking is monitored and potentially increased / relocated to reflect the eventual user of any of the individual uses. The agent has confirmed that sufficient space exists to increase cycle provision in the future.
- 8.5.24 A Work Place Travel Plan Statement has also been provided with its aim to support and maximise sustainable travel options to and from the site. The Highway Authority have considered that the Travel Statement is acceptable at this stage, however, further details would be required prior to the first use of the development.

Conclusion

- 8.5.25 When considering the existing lawful use on the site it is considered that the vehicular movements to and from the site are acceptable and would result in significantly fewer trips than the lawful use of the site. Whilst it is accepted that working habits have changed due to the recent pandemic, it is still considered that the level of vehicular movements are acceptable. Additionally, for the large majority of OGV movements these would utilise the excellent motorway connections to the site, ensuring that the large percentage of travel to and from the site is highly likely to be away from the main settlements of Maple Cross and Rickmansworth.
- 8.6 In respect of parking, the levels are difficult to quantify due to the speculative nature of the development. Nevertheless, it is considered that individually, the units will have an acceptable level of parking. Due to the parking requirements it is considered reasonable to

condition on the grant of planning permission that the units cannot be internally subdivided or increased in floor space (i.e. adding further mezzanines), given this may put increased pressure on parking levels. In addition to parking levels, the ability to encourage sustainable methods of transport will be important and the travel plan statement is conditioned.

8.6.1 Refuse and recycling

8.6.2 In terms of waste management, Policy DM10 states that the Council will ensure that there is adequate provision for the storage and recycling of waste and that these facilities are fully integrated into design proposals.

8.6.3 The development will be served by its own detached refuse and recycling store which would be accessed via the internal road. The details provided with the application show tracking details for refuse vehicles which show that it can be easily assessed. The waste and recycling would be collected privately.

8.6.4 A condition has been recommend ensuring that the refuse and recycling building is erected and maintained to ensure that acceptable provision is provided.

8.7 Impact on trees / landscaping

8.7.1 Policy CP12 of the Core Strategy expects development proposals to 'have regard to the character, amenities and quality of an area', to 'conserve and enhance natural and heritage assets' and requires that '...the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features; landscaping should reflect the surrounding landscape of the area and where appropriate integrate with surrounding networks of green open spaces'

8.7.2 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.

8.7.3 To the front of the application site are a group of protected trees (TPO49) which are of high amenity value (labelled as T1, T2 and T3 on supporting documentation providing with the application). In total there are 11 individual trees and 4 groups of trees. Of these, 3 fall within category A (T1, T2 & T3), 4 within category B, 7 within category C and 1 within category U in terms of their retention value. In line with BS5837:2012 the category A and B trees should be considered as high and moderate quality respectively and efforts should be made to incorporate these category trees into development proposals.

8.7.4 To facilitate the development a Yew tree (T9) and a group of mixed specie trees (G4) are to be felled, all of which fall within category B. A further 6 trees will be felled across the site (T6, T7, T8, G1, G3 ad T11) which have been assessed via the submitted Arboricultural Impact Assessment as falling within categories C and U. All trees to be removed are not individually protected, unlike those shown to be retained along the frontage of the site. The Yew tree currently sits within the planting area adjacent to the internal access for the existing car park and provides boundary screening along with G4 to the office development to the south west. These trees are located towards the rear of the site and are somewhat sandwiched between the adjacent office car park and the multi-level car park on the application site. Given the location of the trees and the fact that building 2 would largely screen this part of the site from any external views to the south east, it is not considered that the loss of these trees would be unacceptable, subject to a suitable replacement scheme across the site.

8.7.5 As part of the development a soft landscape strategy has been provided which shows the creation of a new landscaping habitat and tree planting to offset the loss of trees (including group of trees) to facilitate the development. The landscape strategy will provide for greater

soft landscaping to the frontage (enhancing the appearance of the frontage which is partially hard surfaced), new areas of wildflower meadow, native shrub planting, hedging and 8 new trees. The details of the landscaping scheme are considered acceptable with the specific details secured by condition in the event of an approval.

- 8.7.6 In terms of tree impacts during construction and when the development is in use, the submitted Arboricultural Impact Assessment confirms that there would be a requirement to carry out work within the root protection areas (RPAs) of several trees, such as T1 (London Plane), T2 (Sycamore) and T3 (London Plane). The work will involve foundations and alterations to the parking area towards the front of the site; however, importantly this area is currently occupied by hard surfacing and has been subject to significant disturbance from previous developments, meaning the rooting at the point of the new foundations has been significantly reduced. In addition, as above, new soft landscaping will replace a large portion of hard surfacing around T2 and T3, providing a significantly improved rooting environment for the trees. There would also be some minor pruning works to T3, raising the lower canopy to 5m to allow clearance for vehicle and machine access during construction.
- 8.7.7 Further, to protect the retained trees during construction, a tree protection fencing and 'construction exclusion zones' are proposed, as set out within the Tree Protection Plan at Appendix 3 of the Arboricultural Impact Assessment.
- 8.7.8 The Tree Officer has been consulted and raises no objection to the loss of the trees, proposed landscaping strategy or the proposed mitigation provided during construction, all of which will be conditioned in the event of an approval. In light of the above the proposed development is considered to be in accordance with Policy CP12 of the Core Strategy and DM6 of the Development Management Policies LDD.
- 8.8 Flooding and Drainage
- 8.8.1 The NPPF at paragraph 159 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 8.8.2 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).
- 8.8.3 The application site lies within Flood Zone 1 and is at a low risk of surface water flooding. A Flood Risk Assessment and Drainage Strategy was submitted with the application. The assessment states that the site is served by Thames Water foul and surface water sewers which are situated on the neighbouring site to the east.
- 8.8.4 With regards to surface water management, the proposed development would result in a reduction in impermeable surfacing and an increase in permeable surfacing while also significantly reducing peak discharge rates from the site which will be largely accommodated by the introduction of an attenuation tank, petrol interceptors and a flow regulator. The modular storage tank would be located beneath the internal road.

8.8.5 Comments regarding the acceptability of the sustainable drainage measures are awaited from the LLFA (who are experiencing significant delays in providing consultee comments) or the consultant appointed by the LPA.

8.9 Contaminated Land

8.9.1 Paragraph 183 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.

8.9.2 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

8.9.3 The application site is considered to be of high environmental sensitivity, falling within Source Protection Zone 1 (due to underlying aquifers) which corresponds to the Affinity Water Pumping Station (SPRW) which supply's public water comprising a number of Chalk abstraction boreholes.

8.9.4 A Phase I Environmental Assessment has been submitted with the application and has been reviewed by the Council's Environmental Protection Officer who has commented that the risk assessment has not identified any plausible contaminant linkages that require further investigation. It is also confirmed that no areas of the site have been determined as contaminate land under Part IIA of the Environmental Protection Act 1990. As the site was redeveloped during the 1970s in support of commercial use the submitted assessment therefore asserts that the potential for a degree of localised ground contamination to be present beneath the site cannot be wholly discounted, but is considered remote and thus represents a low risk. A standard condition has been recommended in the event that unexpected contamination is found.

8.9.5 The Environment Agency have also been consulted and do not object, stating that the previous and proposed uses are not polluting and the identified twin storage tanks are located above ground so do not create an issue.

8.9.6 Affinity Water who had raised some initial concern with the development have now confirmed that they are content with the development, subject to the imposition of conditions.

8.10 Wildlife & Biodiversity

8.10.1 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.

8.10.2 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. Policy DM6 sets out that development must conserve, enhance and, where appropriate, restore biodiversity. It refers

to measures that relate to protection, compensation and management of habitats and species, amidst others.

8.10.3 Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by 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.

8.10.4 Following a recent appeal decision at Land to the north of at Maple Cross Lodge (APP/P1940/W/21/3289305), the Inspector at paragraphs 23 and 24 states that:

“The provisions of the Environment Act 2021 provide for 10% BNG. However, this statutory requirement has not yet been enacted. It is undergoing a period of consultation and will require further legislation before it comes into force, as well as guidance and the publication of a Biodiversity Metric by the Secretary of State to calculate the net gain that may be required.”

“Neither Policy DM6 nor Policy SA2 make reference to BNG and so it is not a matter that the development plan concerns itself with. It is though for my consideration given that the Framework and PPG: Natural Environment both refer to net gains. I have been referred to varying versions of the DEFRA metric to measure BNG and at the present time it is a useful tool that informs decision-making.”

8.10.5 The application site is largely developed, it contains a large office building, a multi-storey car park and significant areas of hard surfacing, with only a limited amount of space provided for soft landscaping, which is predominately contained towards the front and the western boundary. The application site is located within 1km of a Local Nature Reserve (Stockers Lake LNR), within 5km of six sites of natural importance and within 10km of one site of international importance (Burnham Beeches). Maple Lodge Nature Reserve, a Local Wildlife Site is also located approximately 350m to the south of the application site.

8.10.6 The submitted Ecology Report sets out that the site was surveyed in August 2021, with thorough surveys undertaken. It also sets out that the development would result in the loss of a small number of trees and the potential loss of a bat roost. The results found that the office building had moderate potential for roosting bats. In line with best practice, two further nocturnal emergence / re-entry surveys are required of the office building to determine the presence/absence of bats and to provide appropriate mitigation to safeguard bats if present and affected. Following the comments from Herts Ecology, it was agreed that the two further bat surveys were to be undertaken with the reports produced by 16 June with the Ecology Officer confirming that a response to those reports will be provided prior to the Planning Committee meeting in June. The purpose of the ecology comments is to review the findings as well as the proposed mitigation measures. Herts Ecology confirmed that they were comfortable that if planning permission was recommended to be granted, that it was subject to a caveat that it could not be determined until Herts Ecology removed their objection and that if they had no objection that planning permission was subject to any conditions recommended by them in their additional response.

8.10.7 As set out previously, a landscape strategy has been provided which will introduce wildflower meadow areas, new native shrubs, new hedging, climbing plants, replacement trees (on a one for one basis), sensitive lighting proposals and the installation of 6 swift nest boxes on the buildings. When considering the existing built up nature of the application site whilst acknowledging the loss of some trees, the proposed mitigation measures will ensure that there an acceptable level of enhancements above the current level on site. The measures would be secured by planning condition.

8.10.8 It is not considered that the development would have a significant impact on the hydrology of the Maple Lodge Local Wildlife Site. All the on-site drainage is proposed to be piped to

public sewers, and there is no proposal for outfalls into the adjacent stream. Hertfordshire Ecology raised no objection in this regard.

8.11 Sustainability

- 8.11.1 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.
- 8.11.2 The application has been supported by an Energy Statement which confirms what type of design measures will be incorporated into the build to meet the policy standard, such as high thermal performance building fabric, use of air source heat pumps and an array of photovoltaic panels on the roof. These measures ensure the requirements of Policy DM4 can be met and will be secured by planning condition.

8.12 Infrastructure Contributions

- 8.12.1 Policy CP8 of the Core Strategy requires development to make adequate contribution to infrastructure and services. The Three Rivers Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on 1 April 2015. The Charging Schedule sets out that the application site is within 'Area A' within which the charge per sq.m of non-residential development is £nil.

8.13 Conclusion / Planning Balance

- 8.13.1 In light of the above assessment the proposed development would, subject to the comments from the LLFA and HE, accord with the policies of the Core Strategy, the Local Development Policies LDD and the Site Allocations LDD.
- 8.13.2 The NPPF at paragraph 11 states the plans and decisions should apply a presumption in favour of sustainable development. For decision making in this means (c) approving development proposals that accord with an up-to date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granted planning permission unless (i) the application of policies in this Framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed; or (ii) 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.
- 8.13.3 Whilst recognising concerns regarding the net loss of employment floorspace, the redevelopment of the site will assist in enhancing the vitality of the site (which has been vacant for a considerable period of time) and immediate area, providing job creation through its construction and once in use. The development would also have notable other benefits such as enhanced on-site drainage, improved landscaping and biodiversity measures, and a reduction in the levels of vehicular movements when compared with the past and existing lawful use of the site for office / light industrial purposes.
- 8.13.4 It is therefore considered that subject to conditions the development accords with the development plan and the NPPF and thus is acceptable in planning terms.

9 **Recommendation**

- 9.1 That subject to no new material considerations being raised and the recommendation of approval/no objection/concerns from the Lead Local Flood Authority (LLFA) or an alternative appointed consultant providing specialist professional advice and Herts Ecology

(HE), that the application be delegated to the Director of Community and Environmental Services to GRANT PLANNING PERMISSION subject to conditions as set out below and any additional conditions as requested by the LLFA (or appointed consultant) and HE:-

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: 05 (Landscape Strategy Plan); HPRMW AMES 00 XX DR E SS7030 6001 D2 P2; HPRMW AMES 00 XX DR E SS7030 6002 D2 P2; PL002; PL003; PL004; PL005; PL006; PL008; PL010; PL011 Rev A; PL0012; PL020; PL021; PL022; PL030, PL035, PL0037 & SK028 Rev B.

Reason: For the avoidance of doubt, in the proper interests of planning in accordance with Policies PSP3, CP1, CP6, CP8, CP9, CP10, CP12 and CP13 of the Core Strategy (adopted October 2011), Policies DM3, DM4, DM6, DM7, DM8, DM9, DM10, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2021).

C3 Tree protection measures

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 3 of the Arboricultural Impact Assessment (Ref: 1296_AIA-V1-D, dated 9th December 2021, prepared by Seed) 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).

C4 Demolition works

The demolition of the office building (Hertford Place) and the deck car park shall be carried out in accordance with the submitted Demolition Method Statement (prepared by JLL) and drawing number SK028 Rev B through the demolition phase of works.

Reason: To minimise impacts from the demolition work in accordance with CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C5 Dust Management Plan

No development shall commence (other than demolition works) until a Dust Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Dust Management Plan shall include best practicable means to be employed to minimise dust caused by the permitted construction and operation of the development and to prevent the emission of dust from the site while incorporating the recommended mitigation measures as set out in section 7.1.1 and Appendix D of the Air Quality Assessment (Ref: AQ051874, dated 18/11/2021, prepared by Kairus Ltd). The development shall be carried out in accordance with the approved Dust Management Plan.

Reason: To minimise dust caused from construction and when the development is in operation in accordance with CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C6 Site Waste Management Plan (SWMP)

No development shall commence (other than demolition works) until a Site Waste Management Plan (SWMP) has been submitted to and approved in writing by the Local Planning Authority. The SWMP shall aim to reduce the amount of waste being produced on site and shall 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: To promote sustainable development and meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011), Policy DM10 of the Development Management Policies LDD (adopted July 2013) and Policy 12 of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document (2012).

C7 Construction Management Plan

No development shall commence (other than demolition works) 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;

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018) and Policy CP10 of the Core Strategy (adopted October 2011).

C8 Surface Water Drainage Scheme

No development shall commence (other than demolition works) until details of a Surface Water Drainage Scheme that does not include infiltration shall be submitted

to and approved in writing by the Local Planning Authority in consultation with Affinity Water. The drainage scheme shall be implemented in accordance with the approved details.

Reason: To provide confirmation that direct infiltration via soakaways will not be used due to the potential presence of contaminated land and the risk for contaminants to remobilise causing groundwater pollution potentially impacting public water supply in accordance with CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C9 Drainage Scheme

No development shall commence (other than demolition works) until details of the Drainage Scheme confirming the use of an oil/water interceptor shall be submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water. The drainage scheme shall be implemented in accordance with the approved details.

Reason: To provide confirmation that an oil/water interceptor will be used to prevent oil and hydrocarbons from particular areas of the development being discharged into surface water and/or groundwater in accordance with CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C10 Ground Investigation/Risk Assessment

Prior to the commencement of any excavations (e.g. piling or the implementation of a geothermal open/closed loop system) the following should be submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

- i) An Intrusive Ground Investigation to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.
- ii) A Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination including turbidity.
- iii) A Method Statement detailing the depth and type of excavations (e.g. piling) to be undertaken including mitigation measures (e.g. turbidity monitoring, appropriate piling design, off site monitoring boreholes etc.) to prevent and/or minimise any potential migration of pollutants including turbidity or existing contaminants such as hydrocarbons to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.

The works shall take place in accordance with the agreed details.

The applicant or developer shall notify Affinity Water of excavation works 15 days before commencement in order to implement enhanced monitoring at the public water supply abstraction and to plan for potential interruption of service with regards to water supply.

Reason: Excavation works such as piling have the potential to cause water quality failures due to elevated concentrations of contaminants including turbidity. Increased concentrations of contaminants, particularly turbidity, impacts the ability to treat water for public water supply. This can cause critical abstractions to switch off resulting in the immediate need for water to be sourced from another location, which incurs significant costs and risks of loss of supply during periods of high demand. The reasoning for the condition is in accordance with CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C11 Materials

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

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

C12 On-site parking

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

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

C13 Hard and soft landscaping scheme

Prior to first occupation of the development hereby permitted a scheme of hard and soft landscaping, which shall include the location and details of all existing trees and hedgerows to be retained, and the proposed landscape recommendations of the Landscape Strategy Plan Figure: 05 (including species and initial planting heights), together with a scheme detailing measures for their protection in the course of development shall be submitted to and approved in writing by the Local Planning Authority.

All hard landscaping works required by the approved scheme shall be carried out and completed prior to the first use of the development hereby permitted.

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

If any of the proposed soft landscaping is removed, dies, becomes 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).

C14 Electric vehicle charging points

Prior to first occupation of the development hereby permitted the details and design of Electric Vehicle Charging Points (EVCPs) shall be submitted to and approved in writing by the Local Planning Authority. All EVCPs shall be installed in accordance with the approved details prior to occupation of the units and maintained and retained thereafter.

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

C15 Cycle shelter

Prior to first occupation of the development hereby permitted, the covered cycle shelter shall be implemented in accordance with drawing number PL008 & the data sheet titled 'Heron Cycle Shelter' and be 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).

C16 Scheme for separate storage and collection of waste

Prior to first occupation of the development the refuse and recycling store shall be constructed in accordance with drawing numbers PL008 and PL037 and permanently retained thereafter.

Reason: To ensure the acceptable storage and collection of waste from the site in accordance with Policy DM10 of the Development Management Policies LDD (adopted July 2013).

C17 Travel Plan Statement

Prior to first occupation of the development an updated Travel Plan Statement for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The updated plan shall include:

- Travel Plan Co-ordinator (TPC) details provided on appointment as well as those of a secondary contact in case of personnel changes;
- The production of a statement of management commitment to the implementation and monitoring of the plan;
- Details of the frequency that the TPC is on site will also be required once known;
- Structured feedback from employees regarding the plan e.g. via steering group or organised around existing site meetings;
- Once occupiers are known, an evaluation as to how freight/deliveries are organised in the most sustainable way (depending on type of business);

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018) and Policy CP10 of the Core Strategy (adopted October 2011).

C18 Energy measures

Prior to first occupation of the development hereby permitted, the sustainability measures detailed within the Energy Statement prepared by Energist (dated 30 July 2021) shall be incorporated into the approved development.

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.

C19 Noise

The rated noise level from any fixed or mobile mechanical plant in or on the buildings and from the commercial activity, including all noise associated with deliveries and vehicle movements including parking within the car parking areas and service yards,

hereby permitted shall not at any time exceed 5 dB above the background sound level representative of any period being assessed applying the methodology within BS4142:2014+A1:2019 or 54dB LAr, 1hour during the day (07.00-23.00) and 43dB LAr, 15min at night (23.00-0700) at the assessment position as indicated at Figure 4.1 of the *auricl acoustic consulting* report (Ref. R/NA/1/211026 Version 01 issued 26 October 2021) using a suitably calibrated noise meter for the purpose. The 'rated' noise level shall be determined as in accordance with BS4142:2014+A1:2019.

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

C20 Refrigerated HGVs

In the construction and operation of the development hereby permitted there shall be no operation of refrigerated HGVs or of tug units without prior details of such operations being submitted to and approved in writing by the Local Planning Authority which demonstrate that the proposed operation would not give rise to unacceptable noise levels.

Reason: To ensure that adjacent noise sensitive properties do not suffer from unacceptable high noise levels and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011).

C21 External lighting

The external lighting installed on the site and affixed to the building(s) shall be undertaken in accordance with drawing numbers HPRMW AMES 00 XX DR E SS7080 6001 D2 P2 & HPRMW AMES 00 XX DR E SS7080 6002 D2 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 (unless its erection would require express planning permission). The submitted lighting details shall be installed in accordance with the approved details before the first use commences.

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

C22 Reporting of Unexpected Contamination

If, during development, contamination not previously identified is found to be present at the site, then no further development 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 in consultation with Affinity Water. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.

Reason: To ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water in accordance with CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013)..

C23 Bats

To minimise any risk of impact to bats, the trees identified as having potential to support roosting bats should be soft felled where limbs are cut and left grounded overnight to allow any bats to make their way out. In the event of bats or evidence of them being found, work must stop immediately, and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England.

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).

C24 No external storage

No materials, containers or equipment shall be stored on the site outside buildings except for waste materials contained within suitable and sufficient waste containers for removal of a type and in a location agreed in writing by the Local Planning Authority

Reason: In the interests of visual amenity, to ensure that adequate parking provision is maintained at all times to serve the development and meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM10, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C25 Use of buildings

The buildings hereby permitted shall be used within Use Class E(g)(iii), B2 and B8 and for no other purpose whatsoever (including any other purposes in Class E of Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 (as amended) (Or in any provisions equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: In granting this permission the Local Planning Authority has had regard to the employment allocation of the application site and wishes to have the opportunity of exercising control over any subsequent alternative use which could have an impact on the employment allocation, noise sensitive neighbouring properties and highway safety in accordance with Policies CP1, CP6 and CP10 of the Core Strategy (adopted October 2011), Policies DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013) and Policy SA2 and site E(d) of The Site Allocations Local Development Document (SALDD).

C26 Fire Hydrant

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

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

C27 No additional floorspace

Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 and the provisions of Part 7 of Schedule 2 of the Town and Country (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no enlargement or additional floor space within any building hereby permitted shall be made (including the creation of mezzanines).

Reason: To ensure that any additional floor space provided within the building shall not prejudice the provision of adequate car parking and vehicle manoeuvring space about the site in accordance with Policy CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

9.2 **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 Highways

Construction Management Plan (CMP)

The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development.

The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at:

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

- 14 The use of vehicles (that are involved in demolition, earthworks, construction etc.) that meet the most recent European emissions standards. The mitigation measures described in Section 7.2 are welcomed.
- 15 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).

- 16 The applicant is hereby advised to remove all site notices on or near the site that were displayed pursuant to the application.