

PLANNING COMMITTEE – 17 NOVEMBER 2022

PART 1 - DELEGATED

5. **22/0284/FUL – Construction of two timber outbuildings at BURY LAKE YOUNG MARINERS, FROGMORE LANE, WD3 1NB**

Parish: Batchworth Community Council

Ward: Rickmansworth Town

Case Officer: Lauren Edwards

Expiry of Statutory Period: 21/11/22 (Agreed Extension)

Recommendation: That Planning Permission be granted subject to conditions

Reason for consideration by the Committee: TRDC has an interest in the application site. The land is owned by TRDC and leased by Bury Lake Young Mariners (BLYM).

This application was brought to the Planning Committee meeting on 23 June 2022. The Officer's committee report recommended refusal of the application on the basis of the absence of a Flood Risk Assessment (FRA) which had led to an in principle objection from the Environment Agency. As such at that time there was insufficient information to demonstrate that the development would not have resulted in an adverse impact on Flood Risk grounds. In the period of time between the publication of the agenda and the June committee meeting the applicant confirmed that they were willing to undertake a FRA. As such the application was deferred in June to allow for the completion, submission and assessment of a FRA. A FRA has now been received and considered by the Environment Agency.

The relevant sections of the report are updated below.

1 Relevant Planning History

- 1.1 05/0105/FUL – Re-surfacing of car park and boat rigging area, erection of new steel storage unit and spoil mound to be seeded – Permitted March 2005.
- 1.2 15/1650/FUL - Construction of replacement clubhouse, boat storage and workshop; and landscaping works including pontoon, jetties and shipway, provision of hardstanding, entrance sign and removal of trees – Permitted October 2015, not implemented.
- 1.3 16/1601/DIS - Discharge of Conditions 3 (Materials), 4 (Boundary Treatment), 5 (Phasing), 6 (Sedum Roof Maintenance), 7 (Landscaping), 8 (Landscape Management Plan), 9 (Tree Protection Scheme), 10 (Flood Risk Assessment), 11 (Ecological Mitigation), 13 (Surface Water Drainage) pursuant to planning permission 15/1650/FUL- Determined
- 1.4 16/2153/DIS - Discharge of condition 7 (soft landscaping), 8 (landscape management plan), 9 (tree protection scheme) and 11 (ecological mitigation and enhancement plan) pursuant to planning permission 15/1650/FUL – Determined
- 1.5 17/1870/FUL- Variation of conditions 2 (Approved Plans) and 5 (Phasing) of planning permission 15/1650/FUL to amend phasing and remove the 'Dry Zone'- Permitted and implemented
- 1.6 18/0884/DIS - Discharge of Condition 7 (Hard and Soft Landscaping) pursuant to planning permission 17/1870/FUL – Determined

2 Description of Application Site

- 2.1 The application site is part of the Aquadrome, Rickmansworth. The Aquadrome is a Local Wildlife Site and part of the site is also designated as a Local Nature Reserve and publically accessible open space. The Aquadrome is served by a public car park accessed from Frogmore Lane. A series of footpaths and cycle routes run through the Aquadrome and alongside the Grand Union Canal and its towpath form the southern boundary to the Aquadrome.
- 2.2 The application site has an area of approximately 0.85ha and relates to an area to the west of the Aquadrome adjacent to the southern corner of Bury Lake. The site is occupied by Bury Lake Young Mariners, Nomad Kayak Club and Colne Valley Special Sailors, (collectively referred to as BLYM), as a water-based recreation centre which includes sailing, windsurfing and canoeing. BLYM is a charity run by volunteers, and has been based at the site for over 30 years. The site currently contains 2 main clubhouse buildings, a number of existing sheds and storage containers, areas of boat storage and slipways and jetties to provide access to the water.
- 2.3 The site is within the Metropolitan Green Belt and the northern part of the site includes areas of flood zones 2, 3a and 3b.

3 Description of Proposed Development

- 3.1 The proposal includes the construction of two timber outbuildings.
- 3.2 One building would be 6m in width and 4m in depth with a mono pitched roof. It would have a maximum height of 4.5m and an eaves height of 2.3m.
- 3.3 The second building would have a width of 5.2m and a depth of 3.4m. It would have a mono pitched roof with a maximum height of 2.4m and an eaves height of 2.1m.
- 3.4 The smaller building would be sited 9m west of the main boat house and the larger building sited to its west (12m from the boat house).
- 3.5 The proposed buildings will be akin to log cabin style outbuildings. The larger of the two would be 'grey blue' in colour the other 'light grey'. The applicant has confirmed that the cabins are to be constructed of Finnish Spruce Timber.
- 3.6 The applicant has confirmed that the 'storage cabin' will be used to hold equipment associated with the activities offered by CVSS (Colne Valley Special Sailors). This includes items such as buoyancy aids, sails, paddles and slings for hoists.
- 3.7 The 'base cabin' will be the operational base for the activities. It will be used as a place to operate from during adverse weather and to hold personal items whilst sailors are in the water. It will also operate as a point to carry out presentations such as giving instructions and to meet clients. The building will also act as an office for administration required in association with the CVSS activities.
- 3.8 This application is now accompanied by a Flood Risk Assessment conducted by KRS environmental ltd.

4 Consultation

4.1 Statutory Consultation

- 4.1.1 Batchworth Community Council: [No objection]

Batchworth Community Council has no objection to this application.

- 4.1.2 Herts and Middlesex Wildlife Trust: No response received.

4.1.3 Herts Ecology: [No objection]

Bury Lake itself and some of the surrounding habitat is designated as a statutory Local Nature Reserve (LNR) and non-statutory Local Wildlife Site (LWS). Part of the area is also a Herts & Middlesex Wildlife Trust (HMWT) reserve.

The proposal site is set back from the lake on amenity grass, close to the larger Rickmansworth Sailing Club boathouse and outdoor boat storage area. The cabins will replace structures (tent and horsebox – now gone) previously used by the CVSS charity for storage.

I do not anticipate any adverse effects from this proposal on the important habitats or designated sites in the vicinity. I do not consider any ecological surveys are necessary nor there to be any ecological constraints with this proposal.

4.1.4 Canal and River Trust: [Had no comment to make]

Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is that the Trust has no comment to make on the proposal.

4.1.5 Environment Agency: [Objection overcome]

Original comments from the EA:

Please find attached our response to planning application 22/0284/FUL. In the absence of a Flood Risk Assessment (FRA), we object to this application and recommend refusal of planning permission until a satisfactory FRA has been submitted.

Further clarification was sought by the case officer from the Environment Agency who advised:

Minor development includes non-residential extensions below 250 square meters, development that doesn't increase the size of a building (and doesn't create any new households) and householder development. For this site they're proposing the construction of two new outbuildings, so isn't an extension and therefore doesn't fit the definition of minor development. It instead falls into the non-major category.

The application is water compatible and so is considered fine in principal, but we would continue to object without an FRA.

Officer comment: Following the receipt of an FRA submitted by the applicant the EA were re-consulted. They made the following revised comments:

*Based on a review of the submitted information, we **have no objection** to the proposed development.*

However, please include the following informative on any decision notice:

Informative - Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river
- on or within 8 metres of a flood defence structure or culvert
- on or within 16 metres of a sea defence

- *involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert*
- *in a floodplain more than 8 metres from the river bank, culvert or flood defence structure and you don't already have planning permission.*

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549 or by emailing enquiries@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Advice to LPA

Flood Emergency Response

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

The planning practice guidance to the National Planning Policy Framework states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you consult with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with the guiding principles of the Planning Practice Guidance (PPG).

We have considered the findings of the flood risk assessment in relation to the likely duration, depths, velocities and flood hazard rating against the design flood for the proposal. We agree that this indicates that there will be:

- *A danger to some people (e.g. the elderly and infirm)*

This does not mean we consider that the access is safe, or the proposals acceptable in this regard. We remind you to consult with your emergency planners and the emergency services to confirm the adequacy of the evacuation proposals.

Sequential Test

In accordance with the NPPF (paragraph 167), development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the local planning authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk. Our flood risk standing advice reminds you of this and provides advice on how to apply the test.

Flood resistance and resilience

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. If you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance. Further guidance on flood resistance and resilience measures can also be found in:

Government guidance on flood resilient construction
<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>
CIRIA Code of Practice for property flood resilience
https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_property_flood_resilience.aspx
British Standard 85500 – Flood resistant and resilient construction <https://shop.bsigroup.com/ProductDetail/?pid=00000000030299686>

Advice to Applicant

Signing up for flood warnings

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

*For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>
To get help during a flood, visit <https://www.gov.uk/help-during-flood>*

For advice on what do after a flood, visit <https://www.gov.uk/after-flood>

Final comments

Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence and provide us with a copy of the decision notice for our records. This would be greatly appreciated.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 3

4.2.2 No of responses received: 1 objection

4.2.3 Site Notice: Expired 24.04.2022 Press notice: Not required

4.2.4 Summary of Responses:

- No trees have been marked on the plan;
- An ash tree is adjacent to the buildings;
- Flood event has been experience in last 5 years - building should be on higher ground;

- BLYM already has ample accommodation and storage to serve the needs of the organisation.

5 Reason for Delay

5.1 To allow for the submission of a FRA. Extension of time agreed.

6 Relevant Planning Policy, Guidance and Legislation

6.1 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise as set out within S38 (6) Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990).

6.2 National Planning Policy Framework and National Planning Practice Guidance

In 2021 the new National Planning Policy Framework was published. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

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

6.3 The Three Rivers Local Development Plan

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

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies PSP1, CP1, CP8, CP9, CP10, CP11 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM2, DM4, DM6, DM8, DM9, DM11, DM13 and Appendix 5.

The Site Allocations Local Development Document (SALDD) was adopted on 25 November 2014 having been through a full public participation process and Examination in Public. Policy SA5 is relevant.

6.4 Other

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

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

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

7 Planning Analysis

7.1 Green Belt

7.1.1 The application site is within the Metropolitan Green Belt. The National Planning Policy Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belt are their openness and their permanence.

7.1.2 The purposes of including land within the Green Belt as set out in the National Planning Policy Framework are:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

7.1.3 The Framework further advises that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

7.1.4 The requirements of the NPPF are considered to reflect adopted policies of both the Three Rivers District Council Core Strategy and Local Plan. Policy CP11 of the Core Strategy (adopted October 2011) states that there will be a general presumption against inappropriate development that would not preserve the openness of the Green Belt. Inappropriate development is, by definition, harmful to the openness of the Metropolitan Green Belt. Policy DM2 of the Development Management Policies LDD (adopted July 2013) replicates Government guidance contained in the NPPF.

7.1.5 Paragraph 149 of the NPPF states that LPAs should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;**
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;

- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
- not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority

7.1.6 The buildings would be used by the Colne Valley Special Sailors within the existing BLYM site and would therefore be used in connection with the existing outdoor sport and recreational use of the site and wider Aquadrome. The development would therefore be considered to fall within exception (b) of paragraph 149, the 'provision of appropriate facilities for outdoor sport and recreation' provided that it preserves openness and does not conflict with the purposes of including land within the Green Belt. The proposed outbuildings would be single storey and would not be excessive in height (both under 3m). The buildings would be sited forward of the two main boat houses however would be read within the context of the existing structures and storage buildings associated with the use of BLYM. As such the proposed buildings would not result in harm to openness.

7.1.7 As such the proposal is considered an appropriate form of development within the Green Belt by virtue of their compliance with the exception set out within (b) of paragraph 149 of the NPPF and thus does not have an impact on openness. By virtue of their location the proposed buildings would also not conflict with the purposes of Green Belt land as set out within the NPPF. The development therefore complies with Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2021).

7.2 Impact on Character and Street Scene

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

7.2.2 Some views would be had of the proposed buildings from within the Aquadrome however the proposed buildings would be single storey in nature, modest in height and would be constructed in a 'log cabin' style, constructed in timber. Therefore the buildings would be constructed of an appropriate material which responds to the character of the immediate vicinity which is heavily treed and verdant. The use of grey timber would also sympathetically respond to the main 'BLYM' building. The proposed buildings would appear subordinate in scale to that of the two larger existing buildings and therefore would assimilate with the existing structures on site. As such by virtue of their sympathetic style, scale and design would appear as sympathetic additions to the site.

7.2.3 It is noted that there are already two main boat houses along with a collection of stores on the parcel of land leased by BLYM however by virtue of their relatively small scale in the

context of the site it is not considered that the additional buildings would give rise to an excessive proliferation of structures.

7.3 Impact on amenity of neighbours

7.3.1 The proposed buildings would be several hundred metres from any residential property and as such would not result in harm in this respect.

7.4 Wildlife and Biodiversity

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

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

7.4.3 The application has been submitted with a Biodiversity Checklist and Herts Ecology have confirmed they do not consider that the proposed development would necessitate any further surveys.

7.5 Trees and Landscaping

7.5.1 Policy DM6 of the Development Management Policies document sets out that development proposals should seek to retain trees and other landscape and nature conservation features and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards. Planning permission will be refused for development resulting in the loss or deterioration of protected woodland, trees or hedgerows unless conditions can be imposed to secure their protection. Development likely to result in future requests for significant topping, lopping or felling will be refused.

7.5.2 Whilst there are no tree on site which are afforded TPO designation the proposed buildings would be located relatively close to an Ash Tree. No details have been submitted with the application to confirm the location of this tree in relation to the proposed buildings nor have any further details been provided.

7.5.3 The proposed buildings are to be laid on concrete slabs. Even if these slabs do not result in any direct severance of the tree's root system there is potential for undue compaction of earth in the RPA resulting in harm to the long term health of the tree. As such an AIA and method statement would be required by condition (in the event of an approval) to confirm the proposal would not result in harm to the adjacent tree. The applicant will also be reminded by way of an informative that any works required to the on-site trees may require consent under separate cover from TRDC as land owner.

7.6 Highways, Access and Parking

7.6.1 The proposal would not result in the increase of land within the current use, only buildings on the land in the same use. As such there would be no increase in the requirement for parking provision or loss of existing spaces.

7.7 Flood Risk and Drainage

- 7.7.1 Core Strategy Policy CP1 sets out that development should avoid areas at risk from flooding and should minimise flood risk through the use of sustainable drainage systems. This Policy also advises that there is a need to manage and reduce risk of and from pollution in relation to quality of land, air and water and in dealing with land contamination.
- 7.7.2 Policy DM8 of the Development Management Policies document sets out that development will only be permitted where it would not be subject to unacceptable risk of flooding and would not unacceptably exacerbate risk of flooding elsewhere and that development must protect the quantity and quality of surface and groundwater resources from aquatic pollution with sufficient surface water drainage. Policy DM9 sets out that permission will not be granted for development which would or could give rise to polluting emissions to land, air and/or water, and will only be granted for development on sites where contamination may be an issue where the Council is satisfied that there will be no threat to the health of future users or occupiers of the site or neighbouring land and there will be no adverse impact on the quality of local groundwater or surface water quality.
- 7.7.3 The application site is located partly within Flood Zones 1, 2, 3a and 3b. The smaller of the two buildings (storage cabin) would be sited in Flood Zone 1 therefore a Flood Risk Assessment (FRA) would not be required for this building, however, the larger of the two buildings (base cabin) is within Flood Zone 3 (areas most likely to flood) which necessitates the requirement for a FRA. The Environment Agency (EA) have confirmed that the proposal would be 'water compatible development' and that water compatible development includes 'water-based recreation' and outdoor sports and recreation and essential facilities such as changes rooms but does not include sleeping accommodation. However, notwithstanding this, they have confirmed that a FRA is required in order for them to confirm they have no objection.
- 7.7.4 A FRA has been received and reviewed by the EA who have confirmed that they have no objections to the proposed development based upon the FRA received. It is however considered reasonable to include a condition to ensure the proposed development is carried out in accordance with the submitted details.
- 7.7.5 In summary, on the basis of the FRA which has been submitted the development is considered to be acceptable in accordance with Policies CP1 of the Core Strategy (adopted October 2011), Policy DM8 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2021).

7.8 Refuse and Recycling

- 7.8.1 Policy DM10 (Waste Management) of the DMLDD advises that the Council will ensure that there is adequate provision for the storage and recycling of waste and that these facilities are fully integrated into design proposals. New developments will only be supported where:
- i) The siting or design of waste/recycling areas would not result in any adverse impact to residential or work place amenity
 - ii) Waste/recycling areas can be easily accessed (and moved) by occupiers and by local authority/private waste providers
 - iii) There would be no obstruction of pedestrian, cyclists or driver site lines
- 7.8.2 The application form confirms that the buildings will use the existing waste collection arrangements of BLYM.

8 **Recommendation**

- 8.1 That PLANNING PERMISSION BE GRANTED subject to the following conditions:
- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

- C2 The development hereby permitted shall be carried out in accordance with the following approved plans: TRDC 001 (Location Plan), TRDC 002 (Block Plan), LILLEVILLA 488 Elevations, LILLEVILLA 488 Floor Plans, LILLEVILLA 388 Elevations and LILLEVILLA 388 Floor Plans.

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the Green Belt and area in accordance with Policies PSP1, CP1, CP8, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM2, DM4, DM6, DM8, DM9, DM11, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013) and Policy SA5 of the Site Allocations LDD (adopted November 2014).

- C3 The buildings hereby approved shall be constructed in finished Spruce timber. The larger of the two outbuildings shall be 'grey blue' in colour and the other 'light blue' in colour.

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

- C4 No development or other operation shall commence on site whatsoever until an arboricultural method statement (prepared in accordance with BS: 5837 (2012) 'Trees in relation to design, demolition and construction') has been submitted to and approved in writing by the Local Planning Authority. This method statement shall include details of timetables of works, method of demolition, removal of material from the site, importation and storage of building materials and site facilities on the site, tree protection measures and details including location and depths of underground service routes, methods of excavation and construction methods, in particular where they lie close to trees.

The construction methods to be used shall ensure the retention and protection of trees, shrubs and hedges growing on or adjacent to the site. The development shall only be implemented in accordance with the approved method statement.

The protective measures, including fencing, shall be undertaken in full accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

Reason: This condition is a pre commencement condition to ensure that no development takes place until appropriate measures are taken to prevent damage being caused to trees during construction, to protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C5 The proposed development shall be carried out in accordance with the details and measures set out within the submitted Flood Risk Assessment prepared by KRS environmental ltd.

Reason: To prevent the increased risk of flooding, both on and off site and to safeguard future users of the buildings in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

8.2 Informatives:

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

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

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

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

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development

Management Procedure) (England) Order 2015. The applicant and the Local Planning Authority engaged in pre-application discussions which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

- 14 The applicant is reminded that any works to any on site trees may require consent under separate cover from TRDC as land owner.
- 15 The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
 - on or within 8 metres of a main river
 - on or within 8 metres of a flood defence structure or culvert
 - on or within 16 metres of a sea defence
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549 or by emailing enquiries@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.