**11. 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’ at THE BOATHOUSE BURY LAKE, THE AQUADROME, FROGMOOR LANE, RICKMANSWORTH, HERTFORDSHIRE for Bury Lake Young Mariners**

◼

|  |  |
| --- | --- |
| Parish: Non-Parished | Ward: Rickmansworth Town |
| Expiry Statutory Period: 08.12.2017 | Officer: Scott Volker |
| Recommendation: That Planning Permission be granted subject to conditions. | |
|  | |
| Reason for consideration by the Committee: This application is brought before the Committee as the land is owned by Three Rivers District Council. | |

**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 13/0935/FUL - Replacement of existing boat shed and construction of new clubhouse – Permitted October 2013, not implemented.

1.3 15/0967/PREAPP - Construction of replacement clubhouse, boat storage and workshop – Closed June 2015.

1.4 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.

1.5 Various other applications for development elsewhere within the Aquadrome including children’s play equipment, footpaths, café, toilet block, development within existing Council Depot, parking and advertisement consent applications.

**2. Detailed 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 public footpaths and cycle routes run through the Aquadrome and 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 a main clubhouse building, a number of existing sheds and storage containers, areas of boat storage and slipways and jetties to provide access to the water. The largest building (known as the boat house) has a width of 30.6 metres, depth of 10.6 metres and height of 5.4 metres; it is used for multiple purposes including storage, repairs, teaching and training.

2.3The buildings and storage areas are located to the western part of the application site with the land to the east currently undeveloped and comprising an area of marsh grassland. Most of the site is located to the north of the access road and public footpath, however, a small section currently used for members’ private boat storage is located to the south of the access road and footpath. Ten parking spaces including disabled bays are located at the end of the access road within the application site.

2.4 The site also includes an existing landing stage on Bury Lake to the north of the boat house and a small area of the lake itself.

2.5 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. Detailed Description of Proposed Development**

3.1 This application seeks planning permission to vary conditions 2 (Approved Plans) and 5 (Phasing) of planning permission 15/1650/FUL to remove the dry zone from the scheme and extend the length of time for completion of the works.

3.2 Permission 15/1650/FUL was given for the *‘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’*, with the development described in the officer report as:

*‘Planning permission has previously been granted under application reference 13/0935/FUL for the ‘replacement of existing boat shed and construction of new clubhouse’, however, this consent has not been implemented. Under the 2013 permission, the replacement boatshed would be in a similar location to the existing structure. However, this would require the existing buildings to be vacated prior to the new facility being constructed causing operational problems for BLYM. In addition the design has been found to be too complex.*

*In order to allow BLYM to remain operational during works, a revised scheme is now proposed which would allow for the retention of the existing building on the site until completion of the replacement facility.*

*To the east part of the site which is currently undeveloped, a pair of clubhouse buildings would be constructed. This structure would be single storey and would be comprised of two linked buildings. To the east would be the dry zone building providing a reception, chandlery, catering and training facilities. This would be 21.3m by 15.5m. To the west of this and sited at an angle creating a staggered building line would be the wet zone building which would provide changing facilities and storage for wet suits and buoyancy aids. This section would be 23.5m by 15.5m. At the closest point, the buildings would be set 2.9m apart and would be connected by a covered walkway. The buildings would have pitched roofs with a maximum height of 5.2m and an eaves height of 3.1m which would be continued over the covered way. The dry zone building would be set 4.2m from the east site boundary and at least 4.3m from the boundary with the access road, while the wet zone building would be set 3.8m from the boundary with the access road. Five trees along the boundary with the access road, one tree within the footprint of the dry zone and four trees along the shoreline would be removed to facilitate the development. The existing ditch which runs to the north of the access road would be infilled to accommodate the wet and dry zone building development, and a replacement ditch to the east of the site is proposed under the ecological enhancement measures proposed.*

*The wet and dry zone buildings will be finished in ship-lap boarding and white render to the gable ends with a red brick plinth. The northern roofslopes overlooking the lake would be sedum while the southern roofslopes facing the access road would be grey metal cladding and would include photovoltaic panels. There would be rooflights along the ridge line and there would be fenestration to all elevations.*

*Between the buildings and to the north there would be a raised non-slip decking board zone with block paved patio to the north of the dry zone up to the shoreline. Grasscrete to the north of the wet zone building would provide a rigging area with further grasscrete to the west for boat storage.*

*The clubhouse buildings would be located within a similar part of the site to those permitted under application 13/0935/FUL, although the footprint and siting have changed and the building would be positioned closer to the east boundary of the site. The buildings approved under 13/0935/FUL had a maximum height of 6m, although the majority of the building would have had a lower height of 4.5m.*

*To the south east part of the site on the area currently used for open boat storage, the proposed boat house store would be 28.5m by 10.6m. It would have a shallow pitched roof with a maximum height of 7.1m and an eaves height of 5.6m and would accommodate double height boat storage to the north part and a repair and maintenance workshop with mezzanine level storage to the south part of the building.*

*The boat house store would be finished in ship-lap cladding with a red brick plinth and the roof would be dark grey metal cladding with rooflights. There would be fenestration to all elevations including a large boat access to the north and workshop access to the west.*

*The boatshed approved under application 13/0935/FUL would have been sited further north than that now proposed with a maximum height of 5.5m, although it would have had a larger footprint (30.6m by 10.6m).*

*To the north and west of the boat house store would be tarmac and grasscrete hardstanding providing for boat storage, rigging and manoeuvring. Immediately to the north of the boat house store would be a 2m high timber fence enclosure around a refuse and recycling store which would be 7.5m by 3.4m. The existing green painted sail storage shipping container would be relocated 7m to the north west of the boat house store.*

*To the south of the proposed boat storage, the southern part of the site would continue to be utilised by the Nomad Kayak Club. The majority of this part of the site would be retained as grass although the northern area would accommodate four 5.4m by 2.5m by 2.5m high containers and a 7.2m by 5.9m shed with a double pitched roof form up to 3m high. These would provide storage for the Nomads who currently store equipment adjacent to the Aquadrome car park (outside of the application site boundary) for a temporary period until the construction on the site is complete. Two new gates would be formed in the existing boundary fence between the boat storage area and Nomad area, and one gate would be provided to the east boundary with the access road. An additional container would also be provided within the boat park storage to the south of the access road adjacent to the existing container and shed.*

*To better enable users to access the lake, the two existing floating jetties to the west of the site would be relocated to a floating decked walkway set 15m from the existing shoreline to the north of the site. The decked walkway would have a length of approximately 55m and would be on pontoon poles. A new slipway which would be 5m wide and which would project 10m from the shoreline would be added to the west of the decked walkway.*

*2.1m high weld mesh fencing with hedge screening would be provided to the east and south boundaries of the BLYM site and to the north of the boat park storage. A gate and turnstile would provide access at the west of the parking area to the boat storage area and a second gate and turnstile would be provided to the south of the proposed clubhouse buildings. A 1.5m wide, 0.3m deep and 2.3m high aluminium signage panel would be positioned adjacent to this access. Eight parking spaces would be retained within the site as well as the existing informal parking to the south east of the application site.*

*To allow BLYM operations to continue during development, a phased construction is proposed:*

* *Phase 1: Provision of four containers and temporary shed to Nomad area for relocation of existing storage.*
* *Phase 2: Construction of clubhouse wet and dry buildings, pontoon and floating jetties, ditch realignment.*
* *Phase 3: Construction of boat house store.*
* *Phase 4: Demolition of existing boat house, windsurfers hut and Nomad timber shed.’*

3.3 Condition 2 of the planning permission 15/1650/FUL states:

‘*The development hereby permitted shall be carried out in accordance with the following approved plans: 152003-D-01-B, 152003-D-02, 152003-D-03-I, 152003-D-04-E, 152003-D-05-C, 152003-D-06-F, 152003-D-07-C, 152003-D-08-C, 152003-D-09-B, 152003-D-10-B, 152003-D-11-B, 152003-D-12-B, 152003-D-13-A, 152003-D-14-A, 152003-D-15-A, 152003-D-16-B, 152003-D-17-A, 152003-D-18, 152003-D-19, 770-001, P1028-MEP-560 v1*

*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).’*

3.3 This current application now seeks alterations to the previously approved scheme to remove the ‘Dry Zone’ element from the development and the plan numbers would therefore be required to be updated accordingly.

3.4 Condition 5 of planning permission 15/1650/FUL states:

‘*Notwithstanding the submitted details, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme detailing the phasing of the construction of the development including timescales for demolition of existing structures and proposed temporary structures and the removal of all resulting materials from the site. The development will be carried out in accordance with the details approved including the agreed programme for demolition of existing structures and proposed temporary structures and the removal of all resulting materials from the site which should take place within 6 months of occupation of the development hereby permitted.*

*Reason: This is a pre commencement condition to secure an orderly development and in the interests of the amenity of the Green Belt and area in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD.’*

3.5 A phasing plan (02/09/16) was provided under application 16/1601/DIS which indicated that construction would commence in September 2016, occupation would commence March 2018 and completion including demolition of the existing building in September 2018.

3.6 This current application seeks to amend the phasing plan to omit all reference to the ‘Dry Zone’, construction would commence in January 2018, occupation would commence November 2018 and completion including demolition of the existing building in February 2021.

3.7 The ‘Wet Zone’ and other aspects would remain as previously approved.

**4. Consultation**

4.1 Statutory Consultation

4.2 Canal and River Trust [No comments to make]

4.2.1 The Canal & River Trust (the Trust) is the guardian of 2,000 miles of historic waterways across England and Wales. We are among the largest charities in the UK. Our vision is that “living waterways transform places and enrich lives”. We are a statutory consultee in the development management process.

The Trust has reviewed the application. This is our substantive response under the Town and Country Planning (Development Management Procedure) (England) Order 2015. Based upon the information available we have **no comment** to make.

4.3 Environment Agency

4.3.1 No comments received.

4.3.2 Landscape Officer

4.3.3 No comments received.

4.4 Herts County Council Footpath Section

4.4.1 No comments received.

4.5 Herts County Council Flood Risk [No objection]

4.5.1 Variation of conditions 2 (Approved Plans) and 5 (Phasing) to amend phasing of planning permission 15/1650/FUL for the 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.

4.5.2 In relation to condition 2 and 5 this is something we cannot advise on, as it does not relate to surface water drainage.

4.6 National Grid

4.6.1 No comments received.

**5. Neighbour Consultation**

* 1. Site Notice: Site notice posted 21.09.2017 and expired 12.10.2017

Press Notice: Published 10.11.2017 and expired 01.12.2017

5.1.2 Neighbours consulted: 8

5.1.3 Number of responses: 0

5.1.4 Summary of Responses: Not applicable.

**6. Reason for Delay**

6.1 None.

**7. Relevant Local Planning Policies:**

7.1 The Three Rivers Local Plan

The Core Strategy was adopted on the 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 (LDD) 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 following Examination in Public. Policy SA5 is relevant.

7.2 National Planning Policy Framework (NPPF)

On 27 March 2012, the framework of government guidance in the form of Planning Policy Statements and Planning Policy Guidance Notes was replaced by the National Planning Policy Framework (NPPF). The application has been considered against the policies of the Core Strategy (adopted October 2011) and 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.

7.3 Other

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.

**8. Analysis**

8.1 Principle of Development

8.1.1 Consent has previously been given under application 15/1650/FUL for the *‘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’.*

8.1.2 The current application seeks to make changes to the approved development to omit the ‘Dry Zone’ from the proposed scheme and to also amend the phasing plan for the timescale for completion of the works.

8.1.3 There have been no changes to the site circumstances or relevant policy that would affect the acceptability of the principle of the approved development and the below analysis therefore considers the impact of the proposed changes

8.2 Green Belt

8.2.1 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.

8.2.2 The Framework sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings is regarded as inappropriate development in the Green Belt, however exceptions to this include ‘provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it’ and ‘the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces’.

8.2.3 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.

8.2.4 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.

8.2.5 Core Strategy Policy CP11 reflects this approach and sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it and Policy DM2 of the Development Management Policies document sets out that within the Green Belt, except in very special circumstances, approval will not be given for new buildings other than those specified in national policy and other relevant guidance.

8.2.6 The proposed alterations would remove the ‘Dry Zone’ element of the previously approved clubhouse which would reduce the extent of built form within the site in comparison to what has been approved. The removal of the ‘Dry Zone’ would not adversely affect the Green Belt.

8.2.7 The proposed alterations to the development would not result in additional harm to the Green Belt compared to the previously approved scheme. The development is considered acceptable in accordance with Policies CP1 and CP11 of the Core Strategy and Policy DM2 of the Development Management Policies LDD.

8.3 Design and Impact on Street Scene

8.3.1 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’.

8.3.2 Due to the location of the application site, there would be limited views of the development from outside the Aquadrome. The alterations proposed would remove the ‘Dry Zone’ from the proposed scheme but would not result in any other changes to the development previously approved. All other aspects of the proposed development would remain as previously approved and there would be no adverse impact on character or appearance of the area.

8.4 Impact on Neighbours

8.4.1 Policy CP12 of the Core Strategy states that development should ‘protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space’.

8.4.2 The separation of the development from neighbouring occupiers would ensure that the development would not result in demonstrable harm to the residential amenities of any neighbouring occupiers.

8.5 Access & Parking

8.5.1 Core Strategy Policy CP10 requires development to demonstrate that it will provide a safe and adequate means of access and to be integrated with the wider network of transport routes including public rights of way and cycle paths where appropriate. Core Strategy Policy CP10 also sets out that development should make adequate provision for car and other vehicle parking and Policy DM13 and Appendix 5 of the Development Management Policies document set out requirements for parking provision. However these do not specify particular standards which would be applicable to development of the nature proposed.

8.5.2 Users of the existing facility currently use the main public car park within The Aquadrome, although there is provision within the application site for a small number of vehicles to provide more direct access for disabled members/visitors.

8.5.3 The proposed access would remain as previously approved and the proposal would not result in changes to the requirement for or provision of parking which would remain adequate for the proposed development.

8.6 Flood Risk and Water Resources

8.6.1 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.

8.6.2 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.

8.6.3 The current application seeks amendments to an extant consent which do not include specific requirements in relation to surface water drainage. The conditions attached to the previous permission would continue to be considered relevant and would be attached to any subsequent planning permission.

8.7 Wildlife & Biodiversity

8.7.1 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.

8.7.2 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 LDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application.

8.7.3 The Aquadrome is a Local Wildlife Site and part of the application site is also designated as a Local Nature Reserve. Policy DM6 also advises that development that would affect a Local Nature Reserve or Wildlife Site will not be permitted where there is an adverse impact on the ecological, geological or biodiversity interests of the site unless it can be demonstrated that the need for the development would outweigh the need to safeguard the biodiversity of the site, and where alternative wildlife habitat provision can be made in order to maintain local biodiversity; and adverse effects can be satisfactorily minimised through mitigation and compensation measures to maintain the level of biodiversity in the area.

8.7.4 A Biodiversity Checklist and Preliminary Ecological Appraisal incorporating a Phase 1 Habitat Survey were submitted as part of application 15/1650/FUL.

8.7.5 The amendment to the approved scheme would not result in any greater impact on the local wildlife than that identified under planning permission 15/1650/FUL. The conditions attached to the previous permission would continue to be considered relevant and would be attached to any subsequent planning permission.

8.8 Trees

8.8.1 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.

8.8.2 Application 15/1650/FUL was supported by a Tree Survey report. The proposed removal of the ‘Dry Zone’ would not result in any additional impact on trees within and around the application site. The conditions attached to the previous permission requiring the submission of landscaping details and management to ensure adequate replacement planting, and a tree protection scheme would continue to be considered relevant and would be attached to any subsequent planning permission.

8.9 Sustainability

8.9.1 Policy CP1 of the Core Strategy requires the submission of energy and sustainability statement, or ‘C-Plan’ assessment, to demonstrate the extent to which sustainability principles have been incorporated into the location, design, construction and future use of proposals and the expected carbon emissions. Policy DM4 of the Development Management Policies document requires that development should produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability.

8.9.2 A C-Plan statement was submitted as part of application 15/1650/FUL which demonstrated that the development would exceed the carbon emission savings required by Core Strategy Policy CP1 and Policy DM4 of the Development Management Policies document achieving a 8% saving through use of energy efficiency measures and an Air Source Heat Pump. A condition on any consent would require that the development is carried out in accordance with the submitted C-Plan details.

8.10 Infrastructure Provision

8.10.1 Core Strategy Policy CP8 sets out that development should provide or make adequate contribution towards infrastructure and services. The Three Rivers Community Infrastructure Levy (CIL) came into effect on 1 April 2015 following the adoption of the CIL Charging Schedule in February 2015. CIL is applicable to this scheme, however the adopted CIL Charging Schedule sets out that the charge per sqm of D2 development is £NIL. As such no CIL contribution would be required in relation to the proposed development.

8.12 Amended Phasing Plan

8.12.1 This application seeks to amend the phasing plan to omit all reference to the ‘Dry Zone’. It all provides a revised timeframe for the proposed works with construction work to commence in January 2018, occupation would commence November 2018 and completion including demolition of the existing building in February 2021. There is no objection raised to the extended programme for development.

8.13 Conditions

8.13.1 It is considered necessary to repeat all conditions attached to planning permission 15/1650/FUL, updated as necessary, to any planning permission granted under this application.

**9. Recommendation**

9.1 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: 152003-D-01-B, 152003-D-02, 152003-D-03-K, 152003-D-04-G, 152003-D-05-D, 152003-D-07-E, 152003-D-09-D, 152003-D-10-D, 152003-D-11-C, 152003-D-12-B, 152003-D-13-A, 152003-D-15-A, 152003-D-16-C, 152003-D-17-A, 152003-D-18-B and 152003-D-19-A.

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 development hereby permitted as shown on plans as set out in Condition 2 shall be finished in external materials as approved under application 16/1601/DIS.

Reason: To ensure a satisfactory appearance of the development and in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD.

C4 Boundary treatment shall be erected prior to occupation of the development hereby permitted in accordance with the details approved under application 16/1601/DIS and shall be maintained in accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development and in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD.

C5 The development should be carried out in accordance with the BLYM Development Project Programme dated 11 October 2017 for demolition of existing structures and proposed temporary structures and the removal of all resulting materials from the site.

Reason: To secure an orderly development and in the interests of the amenity of the Green Belt and area in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD.

C6 The sedum roof to the wet zone building shall be provided prior to the occupation of the wet zone building in accordance with the details approved under application 16/1601/DIS and shall be maintained in accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development and in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD.

C7 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development.

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

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

C8 The landscape management plan, approved by the Local Planning Authority on 09 December 2016 under application 16/2153/DIS shall be carried out and completed prior to first occupation of the development hereby permitted and the soft landscaping works shall be maintained, including the replacement of any trees or plants which die are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species for a period of five years from the date that the approved scheme was completed.

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

C9 No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) shall take place on site in connection with the development hereby approved unless the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works, in accordance with the Tree Protection Scheme approved under application 16/2153/DIS.

The protective measures, including fencing, shall be undertaken in accordance with the approved scheme 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: To protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C10 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Flood Risk Calculations (September 2015) and the details approved under application 16/1601/DIS.

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

C11 The development permitted by this planning permission shall be carried out in accordance with the approved Landscape Report (13 October 2016) and Ecological Mitigation and Enhancement Plan (October 2016) approved under application 16/2153/DIS.

Reason: To ensure that the impact on biodiversity is minimised and to meet the requirements of Policies CP1 and CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C12 The development hereby permitted as shown on plans as set out at Condition 2 shall not be occupied until the energy saving and renewable energy measures detailed within the C-PLAN assessment submitted as part of application 15/1650/FUL are incorporated into the approved development unless otherwise agreed in writing by the Local Planning Authority.

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

C13 No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall:

i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

ii. include a timetable for its implementation; and

iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

INFORMATIVES:

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

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

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

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

I2 The applicant is reminded that the Control of Pollution Act 1974 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.

I3 The applicant is advised that Advertisement Consent may also be required for the proposed signage within the site.

I4 The applicant is advised in relation to Condition 11 that Hertfordshire Ecology have advised that the Preliminary Ecological Appraisal identifies suitable habitat for reptiles within the application site and further surveys were recommended. Based on the survey results, a reptile mitigation plan may need to be produced.

Hertfordshire and Middlesex Wildlife Trust have provided the following comments in relation to the submitted Ecological Mitigation and Enhancement Plan (September 2015):

* P.9 Habitat compensation is welcomed however an number of mistakes and inappropriate species have been suggested. Remove Cladium mariscus – this is not native to Hertfordshire and has never been recorded in the wild. Lesser Pond Sedge is Carex acutiformis
* The required figure to offset the impacts of the loss of 1350 m2 of Sedge Swamp has been miscalculated. 8100 ecological units equates to 1350 ha of this habitat which is incorrect. The report should be amended to remove this figure and replace with the actual figure of 1.62 units.
* The new ditch is welcomed.
* P.12 10 Schwegler 2F boxes should be changed to 5 1FF boxes. 2F boxes are routinely occupied by birds and require monitoring and maintenance. 1FF boxes are self-cleaning and more suited to Pipistrelle species likely to occur on site. They should be erected in dappled shade and a minimum of 10m apart.
* Swift nest boxes will not be used by Swifts if erected on trees. Replace with Schwegler 1B.
* P.14 It is not necessary to condition a reptile survey. They can be presumed to be present and should be encouraged to disperse into the adjacent habitat by a staged habitat reduction plan – which is effectively cutting vegetation to ground level in 2 or 3 stages and maintaining at that level to prevent recolonization. The newly created habitats will compensate for the loss of the area to development. Condition a habitat reduction strategy. E.g. Development shall not proceed until a reptile and amphibian habitat reduction plan has been approved in writing by the LPA. The plan should contain details of how site clearance will not result in the killing or injury of reptiles or amphibians. Reason: To conserve and enhance biodiversity in accordance with NPPF and ensure species protected under the Wildlife and Countryside Act 1981 as amended, are not harmed.
* P.13 The Herts Environmental Records Centre holds no records of Desmoulin’s Whorl Snail in this area. However the habitat proposed to be created will benefit a number of other species.

I5 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.