

## PLANNING COMMITTEE – 17 July 2025

24/1963/FUL: Construction of warehouse units (Use Classes E(g)(iii), B2 and B8) including access and servicing arrangements, car parking, landscaping and associated works at Maple Cross House, Denham Way and Kier Offices off Maple Lodge Close, Maple Cross, WD3 9SW

Parish: Non-Parished

Ward: Chorleywood South and Maple Cross

Expiry of Statutory Period: 10 March 2025

Case Officer: Adam Ralton

Extension of time agreed to 25 July 2025

**Application Type: Major Development**

**Recommendation:** That following the completion of a S106 agreement to secure financial contributions toward biodiversity monitoring, travel plan monitoring and sustainable transport improvements, planning permission be granted subject to conditions.

**Reason for consideration by the Committee:** The application has been called in to committee by three Members of the Planning Committee unless Officers are minded to refuse, to discuss concerns about the impact on noise and air quality from the development and the nature of the proposed use.

To view all documents forming part of this application please go to the following website:

<https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SO7RN2QFM8H00>

### Update

This application was presented to Planning Committee in June 2025, with members voting to defer consideration of the application to seek further information in respect of noise impacts, noise mitigation, building orientation and on-site car park management. This update section will address these points:

#### Noise Impacts, Noise Mitigation and Building Orientation

During the June committee meeting, concerns were raised in respect of the impact of noise and disturbance from activities at the site on the amenities of neighbouring residential properties.

In respect of the potential to re-orient the proposed buildings to provide further mitigation against the noise, the applicant has reviewed this and has confirmed that it will not be possible. Therefore the application site's proposed layout remains to be assessed as submitted.

In respect of noise impacts, concerns were raised during the discussion regarding the impact of noise from the proposed use. The applicant has written to state that in their view, the Noise Impact Assessment and evidence concludes no restrictions are necessary at the site. However, on a without prejudice basis the following further controls have been proposed by the applicant:

- Deliveries and collections to Units 1 – 4 by HGVs to be only permitted between 07:00 and 23:00 on Weekdays, between 08:00 and 23:00 on Saturdays, and between 09:00 and 22:00 on Sundays, Bank and Public Holidays.

- Deliveries and collections to Units 5 and 6 only permitted between 07:00 and 23:00 on Weekdays, between 08:00 and 23:00 on Saturdays, and between 09:00 and 22:00 on Sundays, Bank and Public Holidays.
- Operational Noise across the site to be managed including the following measures:
  - o No tonal reversing alarms shall be used on site, and smart broadband / white noise reversing alarms shall only be permitted.
  - o Engines to be switched off when vehicle is waiting, not in use, or parked.
  - o Roller shutter doors (loading gates) shall be kept closed when not in use.
  - o A construction management plan must be approved by the Council prior to the commencement of construction works.

In relation to deliveries and collections to Units 1-4, whilst Officers and the EHO had no concerns in respect of noise impacts from deliveries, the discussions at June committee demonstrated that Members held concerns. On the basis of the concerns raised, and the hours sought by the applicant, it is considered reasonable that Condition 36 be amended to secure these hours for deliveries and collections. This is a change from the recommendation in June, which proposed similar restrictions to delivery/collection hours to Units 5-6, but proposed no restrictions to delivery/collection hours at Units 1-4. It is noted that the June recommendation sought to prohibit deliveries/collections after 21:00 on Sundays, Bank and Public Holidays to Units 5-6 and officers consider that this remains a reasonable restriction.

In respect of the Operational Noise, Condition 22 already seeks to control these matters, and to ensure the points raised by the applicant are captured, this will be amended to ensure it applies across the site as follows:

Prior to the first use of the development hereby permitted, an Operational Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall set out how deliveries and collections ~~to and from units 5 and 6~~ will be managed so as to ensure any adverse impacts on neighbours from noise generated by these activities are minimised. The plan shall include details of the restriction of the type of reversing alarm for vehicles, the use of the building's doors to restrict noise outbreak and engines not idling, maintenance of the doors to reduce noise from operation, and details of the hours of use of the turning and parking areas and controls over idling vehicles in these areas. Details of site-wide refuse collection arrangements including hours shall also be included. The development shall thereafter be operated only in accordance with the details approved by this condition.

This is in line with the Environmental Health Officer's recommendation.

A construction management plan is already subject of a pre-commencement condition (C3) and the noise from plant associated with Unit 6 is already subject of a pre-installation condition (C23).

#### Car park management

The applicant has submitted an outline car parking management plan. This provides details of how car parking within the site will be managed. It includes:

- An Estate Management Company will be appointed to oversee and manage car parking areas on site.
- Car parking, disabled parking, EV charging and car-share bays are provided to each unit.
- Confirms the proposed car parking ratios are comparable to those accepted by the LPA in neighbouring developments (21/0573/FUL to the east and 22/0033/FUL to the north).
- The use of car parking areas will be monitored by the Estate Manager to ensure parking demand is managed.
- Double yellow lines will be installed at the site entrance to signal that this area should not be used for parking, to ensure the site access point is unobstructed.

Officers have reviewed this document and consider it suitably demonstrates how car parking areas within the site can be managed. It is proposed that compliance with this document be secured by condition and this is drafted at Condition 40.

#### Other Matters

Following the update to committee made in June, Conditions 2, 21 and 39 have been updated below to reference the most recent version of the submitted drawings. In addition, an informative has been added to remind the applicant of the appropriate construction working hours.

In addition, the Biodiversity Net Gain monitoring fee has been clarified as being £5900.

#### Summary

On the basis of the further information provided as detailed above, Officers remain of the opinion that subject to planning conditions to mitigate against the impacts of the proposed development, that the proposal would be acceptable with no significant demonstrable harm resulting to the character of the area, the amenities of neighbours or to water or ground quality. The application remains recommended for approval.

## **1 Relevant Planning History**

- 1.1 97/0730: (Outline) Redevelopment of existing buildings to provide 3 storey office buildings. Approved July 1998.
- 1.2 99/02426/AOD: (Approval of details plan. ref. 97/0730) Erection of three storey office building and associated access and car parking. Approved June 2002.
- 1.3 06/1841/FUL: Provision of 40 no. new overflow car parking spaces with resurfacing of the new parking areas. Permitted December 2006.
- 1.4 24/1334/PDND: Permitted Development Notice Demolition: Demolition of four existing buildings. Permitted September 2024 and implemented (demolition having taken place).

## **2 Description of Application Site and Surroundings**

- 2.1 The application site relates to a parcel of land on the eastern side of Denham Way in Maple Cross. The character of buildings and uses fronting Denham Way is mixed in this location. As you approach the site from the north, the eastern side of Denham Way is characterised by a collection of commercial premises. The western side of Denham Way has a small number of domestic buildings and the farmland of Woodoaks Farm. The application site is the last of the commercial buildings along this part of Denham Way, with the residential development of Franklins immediately south of the site, and residential buildings fronting Denham Way from this point south through the settlement of Maple Cross.
- 2.2 The site most recently operated as two distinct parcels of land. To the front was a relatively modern three storey flat roofed office building. To the rear and east of the building was surface and multi-storey car parking. To the south of the car park was the second parcel of land, which contained two storey brick buildings with their own surface car parking. There was limited green space around the buildings, with a number of trees and hedgerows around the perimeter of the site. Since the submission of this application, Maple Cross House has been demolished.
- 2.3 To the immediate north of the application site is the Rivers Office Park, a collection of three 3-storey buildings arranged around a roundabout, with car parking to the rear (east). To the north of that site is a site which is currently vacant but benefits from extant planning permission (22/0033/FUL) for the construction of six warehouses. Planning conditions are being submitted for discharge and approval at that site, which suggests that commencement may be imminent.

- 2.4 To the east of the application site is the site of two new warehouses constructed following the grant of planning permission 21/0573/FUL at appeal. The approved warehouses are of a larger size compared to those subject of the current application (one being 16.2m tall and approx. 95m by 84m, the other 13.2m tall and 98m by 68m) and those approved at the site referenced above, with the planning permission including 16,115sqm of development.
- 2.5 To the south of the application site are residential dwellings. To the south of the front part of the site are the two storey residential buildings at Franklins, constructed following Reserved Matters approval in early 2007. Some of the dwellings at Franklins (for example Nos 23-27 and 42-46) have back gardens that back onto the application site. Other dwellings (ie Nos. 34 and 35) are oriented side-on to the application site.
- 2.6 To the south of the rear part of the application site are the rear gardens of two storey dwellings which front Longmore Close, particularly Nos. 12-19.
- 2.7 To the front (west) of the site is the A412 Denham Way. In this location, Denham Way provides access to the north to the M25 at Junction 17, with Mill End and Rickmansworth beyond. To the south, it provides access to West Hyde and Denham where it adjoins the A40.
- 2.8 The application site is subject to the following Tree Preservation Orders:
- T1 (Magnolia) of TPO570 to site frontage.
  - T1 (Maple) of TPO049 within Franklins adjacent to the site boundary.
  - G2 (Group of 7 Poplar) of TPO049 to the northern boundary of the rear part.
  - G3 (Group of 20 Poplar) of TPO049 to the southern boundary of the rear part.
  - G4 (Group of 14 Poplar) of TPO049 to the eastern boundary of the site.
  - T2 (Aspen) of TPO049 to the south of the rear part of the site.
  - T3 (Aspen) of TPO049 to the south of the rear part of the site adjacent to No. 12 Longmore Close.
- 2.9 The site is approximately 130 metres north of Grade II Listed Maple Lodge and Barn West of Maple Lodge. The site is approximately 400 metres south of Woodoaks Farm, which contains Grade II listed Barn, and Building Northwest of Woodoaks Farmhouse.
- 2.10 In terms of policy designations, the application site is allocated in the Core Strategy as being within the Secondary Centre of Maple Cross. The site is allocated in the Site Allocations LDD as an Employment Allocation Site E(d).

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

- 3.1 This application seeks full planning permission for the construction of six warehouse units (Use Classes E(g)(iii) [Commercial, Business and Service], B2 [General Industrial] and B8 [Storage or Distribution]), including access and servicing arrangements, car parking, landscaping and associated works.
- 3.2 The proposed warehouse units would be split into two blocks. Units 1-4 would be within Block A, which would be oriented west to east and be to the front of the site. Units 5-6 would be within Block B, oriented north to south and positioned to the rear of the site.
- 3.3 Block A would measure 120m in width by 40m in depth. It would have a hipped roof with a ridge height of 11.3m and eaves height of 9.1m. The front (north) elevation would include full height projections which include ground and first floor floorspace.
- 3.4 Block B would measure 66m in width by 40m in depth. It would have a hipped roof with a ridge height of 11.3m and eaves height of 9.1m. The front (west) elevation would include office accommodation at ground and first floor.

- 3.5 The front elevations and flank elevations of Block A would primarily contain windows, doors including loading-bay style doors, and walls clad in horizontally laid wall cladding, the majority of which would be grey in colour but with blue cladding around each unit. The rear elevation would be clad in horizontally laid cladding in a green grey colour. The roof would include rooflights and PV panels. Block B would contain no flank windows and no rear doors.
- 3.6 The existing electricity substations along the southern side of the building (between existing Maple Cross House and the boundary with Franklins) are proposed to be removed and replaced with a new substation toward the front of the site. The substation would measure 3m in width and depth and 2.4m high and would be finished in a green colour. Each of the six units will be served by an air source heat pump. These will be ground mounted, with those serving units 1-5 located to the northern side of the buildings and the pump serving unit 6 located to the south of that unit.
- 3.7 Four bin store enclosures are proposed. These would have the appearance of buildings formed by timber panels, akin to close boarded fencing. They would be set within the confines of the site and would measure approximately 3m by 3.5m.
- 3.8 Four cycle parking areas are proposed. These would be in the form of weld-mesh enclosures with a 2.2m high flat roof containing sedum cassettes.
- 3.9 Vehicular and pedestrian access to the site will be taken from Denham Way only, with the junction layout revised including the existing shared footway/cycleway widened around the access to 3m.
- 3.10 The existing vehicular access road from Maple Lodge Close would be closed off at the point it reaches the application site, with soft landscaping and boundary fencing proposed to ensure no access exists to Maple Lodge Close. The access road itself falls outside the red line of the planning application site, but is identified in the blue line as land owned by the applicant.
- 3.11 The application is accompanied by a Landscape Masterplan which sets out how the site would be landscaped, this includes the planting of 65 trees (following the removal of 26 trees) and the provision of shrubs, hedgerow, wildflower meadow, lawn and ornamental planting. The scheme also includes biodiversity enhancements including bat and bird boxes and towers, reptile log piles, insect shelters and hedgehog domes.
- 3.12 External lighting is proposed throughout the 'frontage' parts of the site (ie the parts of buildings fronting the access road and car parking areas).
- 3.13 In addition to the drawings, the application has been accompanied by the following documents which have been considered as part of this assessment:
- Arboricultural report (October 2024)
  - Air Quality Assessment (October 2024)
  - Bat and Biodiversity Enhancement (November 2024)
  - Bat Emergence Survey (October 2024)
  - Bat Emergency Survey Interim Report (May 2025)
  - Biodiversity Metric Baseline Report (September 2024)
  - BREEAM Pre-Assessment (October 2024)
  - Daylight and Sunlight Report (December 2024)
  - Design and Access Statement (October 2024)
  - Energy and Sustainability Statement (October 2024)
  - External Lighting Scheme Rev 3 (April 2025)
  - Flood Risk Assessment and Drainage Strategy (September 2024)
  - Framework Travel Plan (October 2024)
  - Geo-Environmental Desk Study (April 2024)

- Ground Investigation Interpretive Report (October 2024)
- Landscape Strategy (November 2024)
- Noise Impact Assessment (May 2025)
- Planning, Economic and Heritage Statement (February 2025)
- Preliminary Ecological Appraisal (December 2024)
- Transport Assessment (December 2024)

3.14 During the course of the application, the following amendments were made:

- The site layout was revised to move a set of bicycle and bin stores from a location south of Unit 4, close to the rear garden of 42-46 Franklins to the north of unit 4, and replacing the store with car parking spaces.
- Details received showing the appearance of the cycle shelter, electricity substation, bin store and acoustic fence.
- Further plans received providing more detail of the proposed landscaping along the southern boundary of the site.
- The external light adjacent to the southern boundary of the site has been reduced in height from 8m to 6m, to match the height of the acoustic screen.

## 4 Consultation

### 4.1 Summary of Consultation Responses:

Active Travel England	9.1	Comment received
Affinity Water	9.2	No objection
Environment Agency	9.3	No objection
Hertfordshire County Council – Highway Authority	9.4	No objection
Hertfordshire County Council – Lead Local Flood Authority	9.5	No objection
Hertfordshire County Council – Minerals and Waste	9.5.1	No objection
Hertfordshire County Council – Water Officer	9.7	No objection
Hertfordshire Constabulary	9.8	Comments received
Herts Ecology	9.9	No objection
National Highways	9.9.1	No objection
National Grid	9.11	No objection
Natural England	9.12	No objection
Three Rivers District Council - Conservation Officer	9.13	No objection
Three Rivers District Council - Environmental Health Com	9.14	No objections
Three Rivers District Council - Environmental Health Resi	9.15	Comments received
Three Rivers District Council – Tree and Landscape Officer	9.15.1	No objections
Three Rivers District Council - Local Plans Team	9.17	Comment received
Thames Water	9.18	No objections

4.1.1 All consultation responses are provided at Appendix 1 at the end of this report.

### 4.2 Public/Neighbour Consultation Responses

4.2.1 Notification letters were sent to 132 neighbouring properties. Eleven responses have been received, comprising 4 representations and 7 objections. In addition to the original public consultation, further rounds of consultation were undertaken:

- January 2025, following an update to the description of the proposal.
- May 2025, due to the receipt of further information and amended plans.

4.2.2 Site Notice: Displayed 17 December 2024 (expired 10 January 2025).

4.2.3 Press Notice: Published 20 December 2024 (expired 13 January 2025).

4.2.4 Summary of Representations:

- Inclusion of swift boxes is welcome but would encourage more.
- Concern with the number of industrial vehicles accessing Denham Way, with an increase in dust and pollution.
- Would prefer access to remain via Denham Way and not Maple Lodge Close.
- Unsure who will maintain trees along the access from Maple Lodge Close.
- Concern regarding fly tipping to the access from Maple Lodge Close.
- Can refuse stores for Unit 4 be moved closer to Unit 5.

4.2.5 Summary of Objections:

- Light plan shows light will not escape from the site toward bedroom windows at Franklins but this is never true.
- Noise increase of 4-5 dB is not trivial and noise from beeping trucks will be worse being behind houses which front Franklins and operating 24/7.
- Unacceptable to have 24/7 warehouses so close to homes.
- Storage of certain items may be dangerous to neighbouring houses.
- Denham Way is already busy, roads are not maintained, two schools in area means children will be exposed to increased pollution.
- Unclear what acoustic barrier will look like.
- Warehouses will be very close to Franklins.
- Warehouses not acceptable close to Franklins due to impact on privacy, increased noise and pollution, increased traffic.
- More warehouses are not needed.
- Refuse stores should be moved away from residents.
- Unclear whether the acoustic fence will provide sufficient screening.
- Demolition works have caused significant issues to residents.
- Construction activities will cause an increase in noise, dust and disruption.
- Proposed building is longer and closer to Franklins than existing building and will block light.
- The local area is desperate for other infrastructure, such as dentists, doctors, community amenities and not warehouses.
- There should be a mix of businesses to provide employment for local residents.
- Hours should be restricted to 7am to 8pm.
- Maple Cross is providing 49% of the District's required storage facilities, increasing to 67% with this scheme.
- Disagree with storage only units, any units should be combined with trade counters.
- Developer should be prepared to split units to provide smaller units.
- Maple Cross House operated weekday 8-6, and 24/7 should be revised to 7am-8pm Monday to Saturday, and 10am-4pm Sunday.
- Pitch of reversing sounders on vehicles cannot be dampened down and would result in disturbance.
- Attention must be paid to safety of children walking to school

## **5 Reason for Delay**

5.1 The application has been extended beyond its original statutory determination period in order to enable the applicant to work with those statutory consultees who have raised technical objections, to address their objections and to allow for the receipt of amended plans to improve the layout of the site.

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

### **6.1 Legislation**

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.

S66(1) of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant planning permission.

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 2017, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

The Environment Act 2021.

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

In 2024 the National Planning Policy Framework (NPPF) was updated and may be read along with the National Planning Practice Guidance (NPPG) as relevant government planning guidance. As is recognised in the NPPF, planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF and NPPG are 'material considerations' relevant to planning decision making. The NPPF is equally clear that "existing [development plan] 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".

A number of NPPF chapters are relevant to the consideration of this application, with the most important being:

- 2 – Achieving sustainable development
- 6 – Building a strong, competitive economy
- 8 – Promoting healthy and safe communities
- 9 – Promoting sustainable transport
- 11 – Making effective use of land
- 12 – Achieving well-designed and beautiful places
- 14 – Meeting the challenge of climate change, flooding and coastal change
- 15 – Conserving and enhancing the natural environment
- 16 – Conserving and enhancing the historic environment

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

The planning merits of the application have been assessed against the policies of the development plan, namely, 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



(Development in Secondary Centres), CP1 (Overarching Policy on Sustainable Development), CP6 (Employment and Economic Development), CP8 (Infrastructure and Planning Obligations), CP9 (Green Infrastructure), CP10 (Transport and Travel), and CP12 (Design of Development).

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 (Historic Built Environment), DM4 (Carbon Dioxide Emissions and On Site Renewable Energy), DM6 (Biodiversity, Trees, Woodland and Landscaping), DM7 (Landscape Character), DM8 (Flood Risk and Water Resources), DM9 (Contamination and Pollution), DM10 (Waste Management), DM13 (Parking), Appendix 4 (Noise Exposure Categories) and Appendix 5 (Parking Standards).

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.

Hertfordshire County Council's adopted Minerals Local Plan 2002 – 2016.

The Waste Core Strategy and Development Management Policies 2011–2026

The Waste Site Allocations Development Plan Document 2011–2026

#### 6.4 Other

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

South West Hertfordshire Economic Study (September 2024) (SWHES)

### **7 Planning Analysis**

#### 7.1 Principle of Development – Proposed Employment Use

- 7.1.1 The 2011 Core Strategy sets the Council's vision for development and sets out various priorities including to provide growth required to support local communities and provide for their needs, to locate growth in the most sustainable locations in terms of access to services and transport networks, to provide opportunities for local employment and to make the best use of land. The Spatial Strategy looks to direct new development toward previously developed land. This includes appropriate infilling opportunities within the Secondary Centres (of which Maple Cross is one).
- 7.1.2 Place Shaping Policy PSP3 deals specifically with development in Secondary Centres and sets out that development in Secondary Centres will focus predominantly on sites within the urban area, and maintain and enhance employment opportunities. This includes redistributing some employment floor space through mixed use development in Kings Langley employment area and an extension of floor space at Maple Cross/Maple Lodge.
- 7.1.3 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 (TRDC Ref 19/1179/FUL, PINS ref 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.

- 7.1.4 Policy SA2 makes clear that employment sites such as Maple Cross / Maple Lodge (site reference E(d)) are 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. More recently an Article 4 Direction was confirmed by the Government and came into force on 23 September 2023, which removed the ability for premises within the Maple Cross/Maple Lodge Employment Area to undertake a change of use from Use Class E to Use Class C3 under deemed planning permission. This adds further protection to the employment floorspace.
- 7.1.5 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.
- 7.1.6 The NPPF includes a chapter on Making effective use of land. Para 125c sets out that planning policies and decisions should:
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate spoilt, degraded, derelict, contaminated or unstable land;*
- 7.1.7 Chapter 6 of the NPPF references Building a strong, competitive economy. Paragraph 86c) was inserted into the 2024 NPPF and states planning policies should:
- c) pay particular regard to facilitating development to meet the needs of a modern economy, including by identifying suitable locations for uses such as laboratories, gigafactories, data centres, digital infrastructure, freight and logistics;*
- 7.1.8 Paragraph 87b was also updated in the 2024 NPPF to set out that planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for:
- b) storage and distribution operations at a variety of scales and in suitably accessible locations that allow for the efficient and reliable handling of goods, especially where this is needed to support the supply chain, transport innovation and decarbonisation;*
- 7.1.9 It is therefore clear that at a national level, there is support for this type of development, as well as the support set out in the statutory development plan.
- 7.1.10 The applicant's Planning Statement confirms that the main office building Maple Cross House [Officer Note: demolished since the statement was written/submitted] has been vacant since Q4 2021. It was previously marketed as office space but with little interest. It would require significant refurbishment in order to be rented for office use. The Planning Statement states the other two buildings are currently occupied but staff are on site infrequently. The statement explains that the two smaller buildings are occupied with around 30 employees (25FTE). The statement does not provide an estimate of employment numbers in Maple Cross House on the basis that it had been vacant for a number of years and required refurbishment to be brought back into use. The statement sets out that the proposed use could support a range of roles depending on the end occupiers and the types of jobs involve in industrial processes and warehousing are getting broader and more skilled from low-skilled warehouse operatives to higher skilled industrial engineers, IT support and automation machine operatives. IT, robotics, engineering and data analysis are becoming a key part of industrial, storage and distribution sector. The statement estimates employment generation at 120-240 FTE and acknowledges that whilst previous employment numbers at Maple Cross House were higher than the proposed development would deliver, there is no interest in that building from prospective tenants.

- 7.1.11 The Council's Local Plans team advise "*The South West Herts Economic Study (2024) sets out that demand for industrial and storage & distribution space in South West Hertfordshire is strong, driven mainly by demand for large scale storage & distribution space which increased during the pandemic. The study identifies a need for 413,400 sqm of storage & distribution space between 2021 and 2041.*" They go on to note that "*the application supporting documents specify the gross internal area of the proposed units totals 7,540sqm, which would positively contribute to the industrial and warehousing floorspace needs*".
- 7.1.12 The LPA notes that Maple Cross House provided approximately 9694sqm Gross Internal Area (GIA) of employment floorspace and the smaller buildings 1366sqm GIA, with a total GIA of 11,060sqm GIA. The proposed scheme would provide 7540sqm GIA of employment floorspace. The Local Plans Officer notes "*the South-West Herts Economic Study Update (2024) found that as of July 2023 there was 162,000 sqm of available office space in south-west Hertfordshire, of which 124,000sqm was identified as vacant. However, the economic study specifically refers to Three Rivers as having different market conditions in terms of office space, concluding that the authority 'should prioritise the protection of office space as far as possible'.*". It is acknowledged that there would be a net loss in floorspace across the site. However, the main office building had been vacant since Q4 2021 and has recently been demolished. The LPA has permitted the demolition of the existing building via 24/1334/PDND (including removal of the multi storey car park). The consideration of that prior approval application was limited to whether prior approval was required as to the method of demolition and any proposed restoration of the site.
- 7.1.13 It is acknowledged that planning permission has been granted in the immediate vicinity for two other warehouse developments. Application reference 21/0573/FUL was granted for a total of 16,115sqm floor area of the same use class as that subject of the current application. The planning permission has been implemented. Application 22/0033/FUL was approved for the provision of approximately 3322sqm of floorspace. Therefore in this employment area alone, should planning permission for the current application be approved, consent for 26,977sqm floorspace will have been granted within this existing employment site allocation area. As noted above the South West Herts Economic Study confirms that demand for industrial, storage and distribution space in South West Hertfordshire is strong, and a need for 413,400 sqm is identified. Cumulatively with the approved schemes, this development would help to meet the identified need for this development type.
- 7.1.14 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 with evidence that the development could support between an estimated 120-240 FTE jobs, depending on the make-up of the proposed uses. 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. The submitted planning statement also sets out that between £7.8m and £15.7m additional GVA per annum would be created from the on-site jobs. The statement also notes the £420,000-£910,000 estimated expenditure by employees per annum in the local area. Significant weight can be attributed to these benefits of the proposed development.
- 7.1.15 Above it is acknowledged that the GIA on site would be a reduction compared to the previously existing buildings. Furthermore, the number of FTE jobs would be less. However, it is also acknowledged that the former office building had been vacant since Q4 2021 despite marketing, and has since been demolished. Weighed against these negative elements, the proposal would provide six modern and efficient units within two buildings, able to adapt to market demands. The development would provide employment opportunities in a number of sectors, and bring a series of economic and social benefits to the site and the wider area.

- 7.1.16 Overall, it is considered that the benefits the development would bring, as listed above, and its compliance with local planning policies in respect of the location of employment generating development, and its compliance with national planning policy in respect of facilitating development to meet the needs of a modern economy and using suitable brownfield land within settlements for identified needs, would outweigh any adverse impacts caused by the reduction in overall employment floor area.
- 7.1.17 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)
- 7.1.18 Any of the above uses would also benefit from ancillary office facilities, which are proposed within all units. The range of uses sought are considered acceptable in principle. It is considered both reasonable and necessary for the uses to be secured by condition, to ensure that the nature of the use of the building cannot change under permitted development and to therefore allow the LPA to ensure any use has a satisfactory impact on the amenity of neighbours and provides sufficient vehicle parking. It is also considered reasonable and necessary to remove permitted development rights for extensions to the buildings, for the same reasons.
- 7.1.19 In summary, whilst noting a reduction in employment floorspace, the principal of the proposed development is considered acceptable and would comply with the strategic aims of Policy SA2 of the Site Allocations LDD. The proposal would also comply with 86c, 87b and 125c of the 2024 NPPF.

## 7.2 Impact on the character and appearance of the locality

- 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 Two buildings are proposed to the site. The building fronting Denham Way would contain units 1-4. The front elevation, containing the entrances, loading bays, signage and windows would face north. It would be finished in a light grey cladding, with blue cladding used to frame each unit. The building containing units 5-6 would have the same finish. The elevation fronting Denham Way would include windows to ensure an active frontage to the main street, and would be finished in the same grey cladding with blue surround. The rear elevations of each building would be finished in 'Green Grey' (RAL 150 40 10). Overall the proposed materials are considered to be appropriate in the context of this part of the street scene which contains a range of building uses and a range of finished materials. Account is also taken of the previously existing office building which was primarily glass with brick cladding. However, to give the LPA certainty in respect of the finished appearance, a planning condition will require samples of the proposed cladding materials to be submitted to and approved in writing.

- 7.2.3 In terms of their positioning within the site, both buildings maintain spacing to the boundaries. Units 1-4 are no closer to the southern boundary of the site than the previously existing building (approximately 12m separation) and are to be approximately 1m closer to Denham Way than the previously existing building. However, the building would still be set some 10m from the front boundary of the site and 28m back from the highway. It would be set 20m from the northern boundary. The hipped roof form, the separation from the boundaries and the height with a hipped roof together ensures the building containing Units 1-4 would not appear cramped within its plot or overly prominent in the street scene, but would appear as an acceptable addition.
- 7.2.4 To further improve the appearance of the building when viewed from Denham Way, the application proposes the use of soft landscaping, including planting a mixed native hedge to the front of the site with wildflower meadow planting behind. This would be supplemented by planting eight trees and five feathered trees (feathered trees have branches from the ground up, whereas standard trees have a trunk with the branches toward the top). These would filter the appearance of the front façade, and the front grass/seating area which is proposed for users of the development. Full details of the landscaping is discussed below and would be secured by condition, but it is considered these elements would further improve the appearance of the development in the context of the street.
- 7.2.5 The building containing Units 5-6 would be 3.5m from the northern boundary at its closest point, with larger gaps on all other sides to ensure it would not appear cramped within the site. Space would remain around the building for a pathway and soft landscaping to be provided to supplement existing trees.
- 7.2.6 The spaces around the buildings would be primarily laid as hard surfaces, which are required for car parking and for turning and manoeuvring of vehicles using the development including articulated lorries and refuse collection vehicles. Much of this will be laid as asphalt for the circulation areas, and block paving for the parking and pedestrian areas. Subject to details of the materials, the appearance is considered to be acceptable.
- 7.2.7 Concerns were raised in respect of the visual impacts of the cycle store and substation in close proximity to the Denham Way entrance to the site. In respect of the substation, this cannot be repositioned to the north of the site entrance because of the potential impact on the root protection area of the trees adjacent to the site. It would also be more exposed to vehicle contact. The landscape masterplan includes hedging to be planted around the substation and this would filter views.
- 7.2.8 The cycle store building would be constructed of a grey wire mesh, with a sedum roof. It is considered this would have an acceptable visual impact, read in the context of the vegetation around the site boundaries. The bin stores would be timber enclosures with no roof. They would be read in the context of the larger buildings they would be adjacent to
- 7.2.9 It is noted that Natural England, whilst raising no objection to the proposal, note that the development is close to the Chilterns National Landscape (CNL) and advise that the relevant Conservation Board are consulted. Guidance has been sought from the Chilterns Conservation Board and they have advised that given the relationship between the CNL and the nature of the motorway in the landscape, that they would not seek to comment on the application. They confirm there would not appear to be any immediate setting relationship to the CNL, with a separation distance of at least 1.9km between the site and the CNL.
- 7.2.10 Overall, having regard to the character of the wider area and taking account of the pre-existing buildings on the site, the proposed development is considered to have an acceptable impact, in terms of its appearance, its massing and bulk, and its layout within the site, on the character and appearance of the street scene and the wider locality.
- 7.3 Impact of proposal on heritage assets

- 7.3.1 Strategic Objective S10 of the Core Strategy is “To conserve and enhance the historic environment by resisting the loss of, or damage to, heritage assets including important buildings”. Core Strategy Policy CP12 states that “in seeking a high standard of design, the Council will expect all development proposals to conserve and enhance natural and heritage assets”.
- 7.3.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:
- “In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State 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.”
- 7.3.3 Paragraph 208 of the NPPF advises that:
- “Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”
- 7.3.4 Paragraph 215 of the NPPF advises that:
- “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal...”
- 7.3.5 DMP Policy DM3 refers to the historic built environment and notes that when assessing applications for development, there will be a presumption in favour of the retention and enhancement of heritage assets. Applications will only be supported where they sustain, conserve and where appropriate enhance the significance, character and setting of the asset itself and the surrounding historic environment.
- 7.3.6 The nearest listed buildings are Grade II listed Maple Lodge, and Barn West of Maple Lodge. These are located at least 70m from the application site and further from the proposed buildings. Other listed buildings (at Woodoaks Farm) are further from the site. The conservation officer acknowledges that the heritage assets most likely to receive impact are these at Maple Lodge, and that whilst the proposed building would be closer to the listed buildings than the existing, their significance has already been eroded by the existing modern residential and industrial development. There is limited intervisibility between the listed buildings and proposed development. As a result, it is considered there would be an acceptable impact on the setting of the Grade II listed buildings.
- 7.3.7 On the basis of the above, and having regard to the separation distance and intervening development between the nearby heritage assets and the proposed development, it is considered that the proposal would preserve the setting of the listed buildings and other heritage assets, conserving their significance and would accord with Policy DM3, S66 of the Planning (Listed Buildings and Conservation Areas) Act and the NPPF.
- 7.4 Highways Impacts
- 7.4.1 Core Strategy Policy CP10 relates to Traffic and Travel, and states that Development proposals will be expected to contribute to the delivery of transport and travel measures identified as necessary for the development, either on-site as part of the development or through contributions to off-site provision as appropriate. Provision for interchange and access by public transport, walking and cycling will be regarded as particularly important.

The policy explains that all development should be designed and located to minimise the impacts of travel by motor vehicle on the District. Clearly the development subject of this application is specifically designed to cater for travel by motor vehicle.

7.4.2 Policy CP10 states that Development will need to demonstrate that it provides a safe and adequate means of access, is appropriate in scale to the existing transport infrastructure and where necessary infrastructure can be improved. It is necessary for the impact of the proposal on transport to be fully assessed through a comprehensive Transport Assessment.

7.4.3 The NPPF at para 115 sets out that in assessing specific applications for development it should be ensured that

- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users;*
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code<sup>48</sup>; and*
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.*

7.4.4 Paragraph 116 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, following mitigation, would be severe, taking into account all reasonable future scenarios”.

7.4.5 Policy CP1 of the Core Strategy (adopted October 2011) advises that in ensuring all development contributes to the sustainability of the District, it is necessary to take into account the need to reduce the need to travel by locating development in accessible locations and promoting a range of sustainable transport modes.

7.4.6 Policy CP10 (Transport and Travel) of the Core Strategy (adopted October 2011) advises that all development should be designed and located to minimise the impacts of travel by motor vehicle on the District. Development will need to demonstrate that:

- i) It provides a safe and adequate means of access*
- j) It is appropriate in scale to the existing infrastructure...*
- k) It is integrated with the wider network of transport routes...*
- l) It makes adequate provision for all users...*
- m) It includes where appropriate, provision for public transport either within the scheme or through contributions*
- n) The impact of the proposal on transport has been fully assessed...*
- o) The proposal is accompanied by a draft Green Travel Plan*

7.4.7 The application has been accompanied by a Transport Assessment which has reviewed the baseline traffic conditions and has accounted for the committed developments in the area including the two other schemes for warehouses, the residential development of up to 50 dwellings at land rear of 24 Denham Way (resolution to approve by committee in June 2023) and the hotel development at the site on the corner of Denham Way and Sibson Way. In respect of existing vehicle movements, the assessment shows that the previously existing development on site had the potential to generate up to 223 two-way people trips during typical weekday peak hours. Having regard to census data showing mode splits, this equates to 187 two way vehicular trips, 20 two-way public transport trips and the remainder comprising cycle and walking trips for the site taken as a whole.

7.4.8 The assessment sets out the proposed trip generation which has the potential to generate up to 78 two-way vehicular trips, three pedestrian trips and nine two-way public transport

trips in the afternoon peak (with the corresponding figures of 65 vehicle, three pedestrian and seven public transport in the morning peak). In terms of servicing of the development by HGVs, the development could generate three two-way HGV trips in the morning peak and none in the afternoon peak – with around 37 two-way trips on a daily basis which is no more than three trips per hour across the entire development on a 12 hour basis. Therefore overall there would be a reduction in overall trips to/from the site compared to the pre-existing use, although the HGV trips would be new.

- 7.4.9 When reviewing the traffic impact, the assessment sets out that the development results in a net reduction in traffic when compared to the extant use, and that the number of HGV movements is unlikely to have any adverse impact on the local road network.
- 7.4.10 National Highways have raised no objections to the proposal, confirming the presented trip generation, distribution and assignment are acceptable, and overall numbers of trips predicted to reach the strategic road network are reduced.
- 7.4.11 Hertfordshire County Council as Highway Authority have reviewed the application. In respect of trip generation, HCC agree that the proposal would generate less motorised vehicles than the previous use and impacts would therefore be neutral. However, they consider it both reasonable and necessary that a Travel Plan be conditioned, to promote greater use of sustainable transport. In respect of the impact on the junctions, HCC are content that the proposal would not result in any additional vehicle impact.
- 7.4.12 In relation to sustainable transport access, HCC acknowledge that the site is reasonably well located to the sustainable transport network, with shared use footway/cycleway located to the west of the site and crossings within a reasonable distance. Whilst it is acknowledged that Rickmansworth Station is a 3.5km cycle via Uxbridge Road, the emerging Local Cycling and Walking Infrastructure Plan (LCWIP) will facilitate a 4km cycle to the station on quieter roads. Furthermore, it is noted that the cycling route passes across the site's extended access junction, and the access to the site has been designed to facilitate a continuous crossing for users of the cycling route.
- 7.4.13 HCC have noted that a site of this nature could, from their own data, generate 171 jobs, which coincides with information presented by the applicant. Based on this, and the need to address the cumulative impacts of all developments and facilitate the delivery and enhancement of active and sustainable transport networks, a contribution of £72,768 is sought.
- 7.4.14 HCC have provided clarification that they consider this contribution would meet the necessary CIL tests, and the contribution toward active and sustainable transport is part of the mitigation package for the development to ensure the site can be accessed in an active or sustainable way. The applicant's agent has accepted the contribution, which would be secured by S106.
- 7.4.15 Active Travel England are a statutory consultee because of the floor area being created, but have referred the LPA to standing advice with no further comments raised.
- 7.4.16 On the basis of the advice above, and subject to conditions which secure the submission of a Travel Plan, the site not being used until the access arrangements are complete and the parking and turning spaces set out, and subject to the travel plan monitoring fee being secured by a legal agreement, it is not considered that the proposal would have a detrimental impact on highway safety.

## 7.5 Vehicle Parking

- 7.5.1 Development Management Policy DM13 requires development to make provision for parking in accordance with the parking standards and zone based reductions set out in Appendix 5.



7.5.2 Appendix 5 sets out the following car parking standards for specified use classes.

- Use Class B1b/c – 1 space per 35sqm.
- Use Class B2 – 1 space per 50sqm, 1 lorry space per 200sqm.
- Use Class B8 – 1 space per 75sqm, 1 lorry space per 200sqm.
- Business Parks – 1 space per 40sqm, 1 lorry space per 200sqm.

7.5.3 The standards for parking may be adjusted according to the parking zone the development falls into. The site is within zone 3, where provision of between 50%-75% of the standard may be acceptable. The 'Business Parks' category is stated to account for 'mixed B1/B2/B8 unless heavily oriented to B8 for use where individual land components are not known'. In this case, permission is sought for a range of uses with the planning statement confirming this is to enable the units to be flexible and support a range of roles. Based on this category, 1 space per 40 sqm equates to 189 parking spaces, or a range of 94-141 spaces based on the 50%-75% provision.

7.5.4 Should the development be occupied for B2 uses only, this would require 151 car parking spaces or between 75-113 based on the zonal reduction. If occupied for B8 uses only, this would require 101 spaces or between 50-75 based on the zonal reduction. On this basis, the parking standard for the 'business park' category is considered to represent the worst case need for the proposed development.

Use Class	Car Parking spaces required based on zonal reduction of 50-75%
B2	75-113
B8	50-75
Business Park	94-141

7.5.5 The development proposes to provide 94 car parking spaces, which will include disabled spaces, 16 active and 20 passive EV charging spaces and car share spaces. This meets the lowest end of the 'business park' category, but provides a suitable level of car parking should the use be put to B2 use only or B8 use only. The site also proposes 40 cycle parking bays which exceeds the policy requirement of between 15 (based on 1 space per 500sqm) and 24 (based on 1 space per 10 full time staff).

7.5.6 It is noted that the site is in a fairly accessible location, with bus stops on Denham Way, and a shared cycleway/footway to the front of the site providing access further into Maple Cross to the south, and to the north toward Rickmansworth. Closer to Rickmansworth there are on-road cycle lanes, designated a local cycle route. Therefore cycling to/from the site is considered to be a realistic mode of transport. In respect of bus services, there are five services that pass along Denham Way including frequent services (1 per hour Monday to Friday) providing access to Hemel Hempstead, Watford, Harlow and Heathrow. Rickmansworth Rail Station is approximately 3.5km (13 minutes) from the site and can be accessed by bus. On this basis, it is considered that the site is in a sustainable and accessible location, accessible by means other than private car.

7.5.7 Having regard to the level of cycle parking proposed on site, the accessibility of the site by bus and walking/cycling routes and the provision of EV charging points, and the provision of a travel plan with the aim of increasing the use of sustainable transport options, it is considered that the level of on-site car parking is acceptable, and that the proposal includes sufficient sustainable transport measures.

- 7.5.8 Lorry parking spaces regardless of use are required at 1 space per 200sqm. Based on the floor area proposed, space for 38 lorries would need to be provided. The plans show a total of 10 lorry spaces, contained within the designated loading bays, and no other lorry parking. Whilst this level of lorry parking does not comply with Appendix 5, it is noted that the parking standards for general industry and business parks require lorry parking regardless of whether there is a clear operational need for such parking to be provided on site. In this case, there are between one and two lorry spaces per unit. The site contains sufficient turning space for articulated lorries and there would be space within the confines of the site for lorries to wait clear of Denham Way if they require access to an occupied lorry space. On this basis, it is considered that the space proposed is sufficient and the shortfall would not result in any demonstrable unacceptable impact on highway safety.
- 7.6 Impact of the proposed built form on amenity of neighbouring occupiers
- 7.6.1 Paragraph 135 of the NPPF advises that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.6.2 Policy CP12 of the Core Strategy (adopted October 2011) states that the Council will expect development proposals to protect residential amenities. This section of the report focuses on the impact of the buildings themselves. Any impacts relating to pollution are considered in later sections.
- 7.6.3 In respect of the building containing units 1-4, this building would be approximately 0.8m closer to Franklins than the pre-existing office building. The height from ground to eaves of Units 1-4 is proposed to be 9.1m. This compares to the height of the existing building from ground level to the top of the three storey flat roof of 11.8m. This difference can be viewed on Drawing No. KP-322-TP-07. Given the very minimal difference in the siting of the wall, combined with the reduction in overall height, it is not considered that this building would have an overbearing or visually intrusive impact when viewed from neighbouring properties in Franklins adjacent to the site at Nos. 20-27 and 34.
- 7.6.4 It is acknowledged that the proposed building projects some 30 metres further east into the site, beyond the rear of what was the previous building on the site. This would result in new built form projecting parallel to the flank wall of No. 35 Franklins, and clearly visible from the rear gardens of 42-46 Franklins, with the new wall ending in line with 42 and 43 Franklins. It is acknowledged that this would result in new built form 30 metres wide, 9.1m in height, located approximately 13m from the boundary with those properties. It would be approximately 27m from the rear wall of Nos. 42 and 43, and 17m from the flank wall of No. 35. The proposed elevation shows the wall of the building facing Franklins would be finished in a grey green coloured cladding. Furthermore, the development includes an acoustic fence projecting closer to these neighbouring properties. The fence would be 6m high and 4.8m away from the boundaries with 42-46 Franklins. The submission shows the fence would be finished as a natural timber appearance. The separation distance between these neighbours and the wall of the building and acoustic fence are considered to mitigate the visual impacts to some extent. However, the application also proposes the use of soft landscaping to provide further visual mitigation and filter views of the new development from the neighbouring properties.
- 7.6.5 In respect of the impact on No. 35, this property has a line of thick Leyland cypress adjacent to its flank boundary which extends beyond the rear wall of the neighbour. This is proposed to be retained as part of the scheme and would act to filter many views of the proposed development. It would be protected throughout construction (protection secured by condition) and the landscaping scheme and landscape management plan would ensure the ongoing maintenance of this important visual screen in the future. Where this screen ends toward the rear of the garden at No. 35, the proposed landscape plan shows new tree

planting. Further information has been sought from the applicant on the species to be planted in this area and a drawing has been submitted (1115-SW-02) confirming that the species to be planted include Common Hornbeam (*Carpinus Betulus* EHS), Rowan (*Sorbus aucuaria* EHS), Wild Cherry (*Prunus Avium*) and Scots Pine (*Pinus Sylvestris*, evergreen). These can be secured by planning condition. It is considered that given the separation distance, the angle of view, the presence of existing vegetation and subject to the proposed soft landscaping being secured, provided and maintained, that there would not be such a demonstrable harmful impact on this neighbour such that planning permission could be refused.

- 7.6.6 In respect of the impact when viewed from Nos 42-46, there is some existing screening in the form of trees which would act to filter some views of the proposed development including the acoustic fence. Again, the proposed landscape plan proposes additional soft landscaping including trees as detailed in the paragraph above to filter views of the acoustic fence. It is considered that the combination of the separation distance, the presence of a 6m fence with the taller building beyond, and the presence of existing and proposed soft landscaping would when combined sufficiently mitigate against the visual appearance of the building when viewed from these properties at Franklins.
- 7.6.7 Unit 6 would be at least 10 metres north of the rear boundary with Nos. 13-16 Longmore Close, with around 15 metres separation between the main two storey rear wall of those houses and the proposed building. A number of trees are proposed to be planted in the space south of the building, within the site, including Alder, Silver Birch, Rowan, Wild Cherry, Scots Pine and Field Maple. These trees would all, along with existing vegetation, act to filter and soften views of the proposed built form when viewed from properties fronting Longmore Close. The south elevation of Unit 6 facing these properties would be finished in a green grey colour. The proposed built form of Unit 6 would be larger than the existing in terms of height and depth, and would be 16 metres closer to Longmore Close than the existing. However, having regard to the separation distance and the existing and proposed soft landscaping, the visual impact of the proposed built form would not result in demonstrable harm to the amenities of the occupants of properties fronting Longmore close.
- 7.6.8 This application has been accompanied by a Daylight and Sunlight report (December 2024) which assesses the effect of the proposed development on daylight and sunlight to neighbouring residential properties. This confirms that for the nearest properties in Longmore Close, daylight levels would be fully compliant with guidance and there will be no material change to direct sunlight because of their situation south of the development site. For Nos. 20-27 Franklins, a slight improvement in daylight is envisaged due to the reduced parapet height and no material change to sunlight. For 32-37 Franklins, there are generally modest improvements as a result of the reduced parapet height. For 42-46 Franklins there is no material impact on amenity identified, as daylight levels are either improved or well within BRE targets. Given the distances and orientation involved, the LPA has no reason to question the validity of the conclusions of this report.
- 7.6.9 In respect of privacy, the proposed development does not contain any windows which face toward the nearest residential properties.
- 7.6.10 It is noted that permitted development rights exist under Classes A and H, Part 7 of the General Permitted Development Order that may allow further extensions to the size of the buildings under permitted development. Given the close relationship with neighbouring properties, and that any enlargement under permitted development has the potential to compromise the soft landscaping (required to protect neighbouring amenity and for biodiversity net gain) and bring built form and associated use closer to neighbouring properties, it is considered both reasonable and necessary to remove this permitted development right, meaning any such extension would require express planning permission.

## 7.7 Pollution – Air Quality

7.7.1 Paragraph 180 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;

7.7.2 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 a 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 e.g. furnaces.
- Give rise to potentially unacceptable impact (such as dust) during construction for nearby sensitive locations.

7.7.3 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:

- Have an adverse impact on air pollution levels, particularly where it would adversely affect air quality in an Air Quality Management Area and/or
- Be subject to unacceptable levels of air pollutants or disturbance from existing pollutant sources.

7.7.4 The application is accompanied by an Air Quality Assessment which considers impacts at the construction phase and operation phase. In respect of construction phase impacts, mitigation measures as recommended by the Institute of Air Quality Management are proposed to be implemented, and these would be secured by planning condition. In respect of operational phase impacts, modelling shows that the nearest receptors would remain below the annual average levels and the impact of the effects of changes in traffic flow would be negligible. There are no further mitigation measures required.

7.7.5 The Environmental Health Officer has reviewed the submitted Air Quality Assessment and recommends that a condition requiring the submission of a dust management plan be attached to any planning permission. Subject to this condition, it is considered that air quality impacts would be acceptable.

## 7.8 Pollution – Noise and vibration

7.8.1 Paragraph 180 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.

7.8.2 Policy DM9 sets out that planning permission will not be granted for development has an unacceptable adverse impact on the indoor and outdoor acoustic environment of existing or planned development, has an unacceptable adverse impact on countryside areas of tranquillity which are important for wildlife and countryside recreation.

7.8.3 Noise pollution impacts from the development are likely to arise primarily from vehicles using the access road and car park, and from loading/unloading activities within the loading bays and forecourts. The design of the development would mitigate these impacts to some

extent, for example the built form of units 1-4 would act as a barrier to noise from the front of these units, to protect the amenities of residential occupants to the south. Noise and activity from Units 5 and 6 and the vehicle parking/turning area would not benefit from this protection. However, to mitigate against the noise impacts, a 6m high acoustic fence is proposed between the south corner of unit 4 and the south corner of unit 6. This would effectively enclose the southern part of the site with an acoustic screen which would reduce the noise impacts of the development on neighbouring properties.

7.8.4 During the course of the application, concerns were raised in respect of the bin and cycle stores located to the south of the site opposite Unit 6, because their use may result in noise and disturbance to neighbours notwithstanding the presence of an acoustic fence. In order to further mitigate this potential impact, the stores have been relocated closer to the front of Unit 4. The refuse and cycle stores are considered to be in an acceptable position so as to minimise noise and disturbance to residents.

7.8.5 The application is accompanied by a Noise Impact Assessment. This has been reviewed by the Environmental Health Officer who raises some concerns with the assessment, such that they are not able to agree at this time that Units 5 and 6 may operate for 24 hours a day, seven days a week and not cause harmful disturbance to neighbouring properties. There are no objections/concerns in respect of the use of Units 1-4 on a 24/7 basis. Given these comments, conditions are recommended to 1) restrict the hours for deliveries to/collections from Units 5 and 6, 2) provide further details of the plant equipment before this is used, and 3) provide details of an Operational Noise Management Plan to ensure that operational noise is suitably managed to further minimise noise impacts on neighbouring properties.

7.8.6 On the basis of the above, and subject to planning conditions requiring the acoustic screen to be constructed prior to the first use of the development hereby permitted, it is not considered that the proposal would result in any significant adverse impacts in respect of noise.

## 7.9 Pollution – Light

7.9.1 Policy DM9 sets out that development proposals which include external lighting should ensure that proposed lighting schemes are the minimum required for public safety and security, that there is no unacceptable impact on neighbouring or nearby properties or the surrounding countryside or wildlife.

7.9.2 The application is accompanied by a lighting layout plan, which shows that the site access road would include 8m high lighting columns. There would also be lights mounted at 8m high on the front of the proposed buildings, and on the east side of Unit 4. A column mounted light would be installed 6m high adjacent to the acoustic screen. The application is also accompanied by a lighting design document which models the light spillage and confirms that, as a result of the siting of the lighting, the position of the buildings and the acoustic screen, limited light spillage is predicted to take place outside the application site.

7.9.3 It is considered that the submitted lighting design does provide the minimum level of lighting required, and has been designed in such a way to ensure there would be no unacceptable impact on neighbouring properties or the surrounding area. Planning conditions are recommended which require the lighting to be implemented only in accordance with the submitted details, and which restrict the insertion of any further lighting either on the buildings or stand alone. This is considered to be reasonable and necessary on the grounds that any future lighting must be designed in a way which is sensitive to the proximity of neighbouring residential properties, and sensitive to the ecological implications of lighting.

## 7.10 Pollution – Land Contamination

- 7.10.1 Policy DM9 states that the Council will only grant planning permission for development on, or near to, former landfill sites or on land which is suspected to be contaminated 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 ground water or surface water quality.
- 7.10.2 A ground investigation report has been submitted, which provides details of the historic uses of the site based on historic mapping, and provides details of recent ground investigation works. Laboratory analysis found no evidence of significant chemical contamination, with one sample containing very small quantities (less than 0.001%) of asbestos. Elevated concentrations were found of dissolved hydrocarbons and following further ground investigations, it is concluded that remediation is likely to be required in some areas of the site, including the removal of soil. The Environmental Health Officer has reviewed the submission and considers the standard contaminated land condition is required. Subject to this, it is not considered that the proposal would result in any threat to the health of future users or occupiers of the site or neighbouring land. The implications on ground and surface water are discussed in more detail below.
- 7.11 Impact on Wildlife and Biodiversity, including Mandatory Biodiversity Net Gain
- 7.11.1 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.
- 7.11.2 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value.
- 7.11.3 Paragraph 180 of the NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment by:
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.*
- 7.11.4 Footnote 62 states "Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality".
- 7.11.5 Paragraph 185 of the NPPF advises that in order to protect and enhance biodiversity and geodiversity, plans should: *b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.*
- 7.11.6 Policy CP1 of the Core Strategy (adopted October 2011) advises that; "all development in Three Rivers will contribute to the sustainability of the District. This means taking into account the need to" (amongst other things) (f) "protect and enhance our natural, built and historic environment from inappropriate development and improve the diversity of wildlife and habitats". Policy CP9 of the Core Strategy (adopted October 2011) advises that; "The Council will seek a net gain in the quality and quantity of Green Infrastructure, through the protection and enhancement of assets and provision of new green spaces".

- 7.11.7 Policy DM6 of the Development Management Policies LDD advises that development should result in no net loss of biodiversity value across the District as a whole.
- 7.11.8 The submitted preliminary ecological appraisal has been reviewed by Herts Ecology. In respect of protected species, one building on site has high potential for roosting bats and has been considered as a maternity roost over many years. There is no information regarding whether bats are roosting in the bat box as opposed to the building itself. Two emergence surveys were undertaken in 2024, but these are not sufficient to inform an European Protected Species Licence application and further surveys are needed. Two such surveys have since taken place, in May and June 2025. These collectively detected droppings, bat activity and a maternity roost using a bat box. These surveys have been reviewed by Herts Ecology, who confirm that the surveys undertaken meet the minimum information requirements for the LPA to be able to fully consider the impact of the proposal on bats and discharge its legal obligation under the Conservation of Habitats and Species Regulations 2019 (as amended). The building containing the bats cannot be demolished, nor the bat box removed or disturbed until a licence informed by all relevant data is obtained.
- 7.11.9 In respect of other potential impacts on bats, the submitted lighting scheme has been reviewed by the ecologist and is found to have levels of illuminance that will not exceed existing levels, and no concerns are raised to the lighting plans. No concerns are raised in respect of the impact on nesting birds, subject to an informative.
- 7.11.10 In respect of ecological enhancements proposed to the site, these are endorsed and would be secured by planning condition. It is also requested that a planning condition be attached requiring confirmation, following completion of the development, that the proposed enhancement features have been installed with evidence submitted to and approved in writing by the LPA.
- 7.11.11 In respect of impacts on the Maple Lodge Nature Reserve and adjacent stream, a precautionary approach is to be taken and a Construction Ecological Management Plan condition is proposed, which would secure that consideration and protection is given to these areas during the construction phase.
- 7.11.12 In relation to mandatory BNG, the application is accompanied by a Biodiversity Metric Baseline Report and a completed Biodiversity Metric. This includes details of the value of the existing habitat, linear features (hedge) and watercourse features found on the site, and details of the proposed enhancements. The enhancements proposed would include planting 65 small trees, 1285sqm of mixed scrub (primarily alongside the southern and northeastern boundaries), the creation of an area of modified grassland and 2670sqm of wildflower meadow associated with the riparian corridor and along the southern and western boundaries. In addition, 205m of species rich hedgerow would be planted.
- 7.11.13 Following the creation and enhancement measures set out above, the site would result in a 109% increase in habitat units, 7191% increase in linear features, and 29% increase for watercourse units. This would exceed the 10% minimum required by the Environment Act.
- 7.11.14 Herts Ecology have reviewed the BNG submission and find it adequate to allow determination of the application. In the event that planning permission is granted, the permission will be subject to the Biodiversity Gain Plan Condition and this must be satisfied before works begin. In addition, as a result of the scheme proposing a significant net gain, any planning permission would be subject to a requirement to submit a Habitat Management and Monitoring Plan, which would set out how the habitat would be enhanced, created, brought to its target condition and managed/maintained for a 30 year period. Furthermore, a monitoring fee would be secured by legal agreement, to cover the cost of the LPA monitoring and reporting on delivery of the agreement.

7.11.15 Given the above, and subject to conditions, it is considered that the proposed development would not result in a loss of biodiversity and would afford suitable protection and enhancement to protected species.

#### 7.12 Impact on trees and landscaping

7.12.1 As previously noted, this application is submitted in outline with landscaping a reserved matter. Nevertheless, the application has been submitted with an illustrative landscape strategy.

7.12.2 Development Management Policy DM6 notes that proposals for new development should be submitted with landscaping proposals which seek to retain trees and other important landscape and nature conservation features. Development proposals on sites which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible. It also notes that planning permission will be refused for any development resulting in the loss or deterioration to protected woodland, protected trees, and hedgerows unless conditions can be imposed to secure their protection. It states that where the felling of a tree or hedgerow is permitted, a replacement tree or hedge of an appropriate species, size and in a suitable location will be required.

7.12.3 The NPPF sets out at para 186c) that “development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists”.

7.12.4 As detailed at 2.8 above, the application site contains a number of trees, many of which are protected by TPO. Paragraph 3.11 sets out that the proposal includes removing 26 (six B-grade and 20 C-grade) trees and planting 65 trees, alongside shrubs, hedgerow, wildflower meadow, lawn and ornamental planting.

7.12.5 The submitted landscaping plan shows that planting will be distributed primarily around the west, south and east sides of the site, with some limited planting to the north. The tree planting would act to enhance the visual appearance of the development when viewed from the street, as well as provide habitat for biodiversity and screening of the development from the surrounding neighbouring properties.

7.12.6 The Tree and Landscape Officer was consulted on the proposed development and has raised no objections. They confirm that based on the plans there should be space for the trees to develop to an effective size. They also acknowledged that the proposed planting includes a mix of standard trees, which give immediate landscape impact but are slow to establish, and bare whips which are small at first but will establish quickly. Ground preparation, planting and establishment maintenance will be key. Overall, it is considered that subject to conditions requiring the landscaping to be implemented, and maintained, including suitable ground preparation, the proposed soft landscaping would have an acceptable impact on the character of the area whilst also achieving the screening and biodiversity benefits detailed above.

#### 7.13 Energy Use

7.13.1 Paragraph 161 of the 2024 NPPF states that “The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure”.

7.13.2 Policy CP1 of the Core Strategy requires the submission of an Energy and Sustainability Statement demonstrating the extent to which sustainability principles have been



incorporated into the location, design, construction and future use of proposals and the expected carbon emissions.

- 7.13.3 Policy DM4 of the DMLDD requires applicants to demonstrate that development will produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability. This may be achieved through a combination of energy efficiency measures, incorporation of on-site low carbon and renewable technologies, connection to a local, decentralised, renewable or low carbon energy supply. The policy states that from 2016, applicants will be required to demonstrate that new residential development will be zero carbon. However, the Government has announced that it is not pursuing zero carbon and the standard remains that development should produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability.
- 7.13.4 The application has been accompanied by an Energy and Sustainability Statement which demonstrates that the proposal will achieve an overall carbon dioxide emissions reduction of 438% compared to the baseline performance of the worst allowable standards under Building Regulations Part L (2021). This is achieved through energy efficiency measures and the use of Photovoltaic panels alone accounting for 315% reduction. The development also seeks to achieve BREEAM 'Excellent'. On that basis the proposal would exceed the reductions required by the Development Plan and would be acceptable.

#### 7.14 Flood Risk and Drainage

- 7.14.1 Policy CP1 requires all development in Three Rivers to contribute to the sustainability of the District, by minimising flood risk through the use of Sustainable Drainage Systems. Policy DM8 refers to Flood Risk and Water Resources, and states that development will only be permitted where it would not be subject to unacceptable risk of flooding. It also states that Development in all areas should include Sustainable Drainage Systems to reduce surface water runoff.
- 7.14.2 The application is accompanied by a Flood Risk Assessment and Drainage Strategy. This sets out that the drainage proposal is to infiltrate to the ground via two attenuation tanks, and the car park will be drained via porous paving. Surface water from the service yards and access road will be collected by gullies and channel drains. The strategy has been reviewed by Affinity Water (comments at 9.2 below) and the LLFA (comments at 9.5 below). Both consultees originally objected to the proposal, however following receipt of amended plans and further information, both consultees have removed their objections subject to planning conditions.
- 7.14.3 The application site is located within Flood Risk Zone 1 (ie lowest risk of fluvial flooding). The Environment Agency have advised that there are no constraints within their remit at the site and therefore they raise no comments but encourage the use of Sustainable Drainage Systems and water efficiency measures.
- 7.14.4 It is concluded that the proposed development would not be subject to unacceptable risk of flooding and uses sustainable drainage systems to reduce surface water runoff, and is acceptable having regard to DM8.

#### 7.15 Refuse and Recycling

- 7.15.1 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

- 7.15.2 The County Council's adopted waste planning documents reflect Government policy which seeks to ensure that all planning authorities taken responsibility for waste management. This includes ensuring that 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 ensuring that the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.
- 7.15.3 HCC note a SWMP has not been produced and therefore require a Site Waste Management Plan (SWMP) to be submitted which should aim to reduce the amount of waste produced on site.
- 7.15.4 In respect of safeguarding Waste Sites, the application site is in close proximity to the Maple Lodge Sewage Treatment Works (STW), which is safeguarded under the Waste Core Strategy due to its important contribution to the strategic network of waste management provision. The proposal seeks to retain trees and plant additional trees on the boundary which faces the STW, and the Waste Authority has confirmed they have no safeguarding concerns.
- 7.15.5 In relation to minerals, the site falls within the 'Sand and Gravel Belt' as identified in HCC'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.
- 7.15.6 The county council, as the Minerals Planning Authority, does not consider that the proposal would have the potential to unacceptably sterilise mineral resources, and would encourage the opportunistic extraction and subsequent use of these deposits within developments. Opportunistic use of minerals will reduce the need to transport sand and gravel to the site and make sustainable use of these valuable resources.
- 7.15.7 In respect of commercial waste generated at the site, full details have been provided of the refuse storage areas, along with confirmation within the Transport Assessment that refuse vehicles can enter the site, turn, and exit in a forward gear.
- 7.15.8 On the basis of the above and subject to conditions it is considered that the proposed development has given adequate consideration to waste and waste collections.
- 7.16 Infrastructure Contributions/Heads of Terms for S106
- 7.16.1 Policy CP8 of the Core Strategy requires development to make adequate contribution to infrastructure and services. There is no CIL chargeable for the development sought.
- 7.16.2 As detailed above, HCC highways have requested a financial contribution of £72,768 toward Route 3 in the LCWIP, which looks to provide a route on quiet roads between Maple Cross and Rickmansworth Station. This would unlock the site's sustainability. In addition, HCC require a Travel Plan Evaluation and Support Fee of £6000 (index linked to RPI March 2014) to support the implementation, processing and monitoring of the travel plan.
- 7.16.3 Herts Ecology acknowledge that the scheme would provide a significant net gain in biodiversity. On that basis, it is considered that monitoring the site, to ensure the habitat management and monitoring plan is fully implemented and biodiversity gains realised, would be required. Based on the size of the site and the difficulty of the habitat being created or enhanced, a monitoring fee of £5900 is to be secured.

7.16.4 The applicant's planning statement at 7.39 sets out a series of benefits the development would bring. Because these are not considered to be necessary to make the development acceptable in planning terms, it is not proposed to secure these as part of the legal agreement. It is anticipated that many of the stated benefits would be realised naturally through the operation of the development.

7.16.5 TRDC Charge a monitoring fee for S106 agreements, to cover the costs of our monitoring. However, it is noted that two of the financial contributions sought are for HCC as Highway Authority. The BNG fee covers monitoring the biodiversity gains. On this basis, it is not considered that any further monitoring fees would be applicable.

#### 7.17 Benefits of the Scheme

7.17.1 The applicant has suggested a number of planning benefits would be realised from the scheme. Many of these are discussed at 7.1.14 above.

7.17.2 The planning statement comments on the social value, setting out that the applicant has committed to deliver a number of Social Value commitments at the site to ensure that benefits are maximised across the local communities. The key minimum targets set out include the creation of 2 apprentices, 30 hours of training throughout the supply chain, 6 weeks of work experience, 7 hours of mentoring, 21 hours of career support, 30 hours of career progression training for staff, 90 hours of training, 40% of the value of contract to be awarded to SMEs, 12 hours engagement with schools and colleges, and 18 hours of staff volunteering. It is not proposed to secure these matters by S106 agreement, because they are not considered by Officers to be necessary to make the development acceptable in planning terms given the overarching conclusions above. As they are not to be secured, only limited weight can be attributed to these matters.

7.17.3 Regardless of this, it is acknowledged that the site would continue to provide employment opportunities, despite a reduction in overall numbers when compared to the previous use of the site which, given demolition of previous buildings, could no longer take place. The construction phase of the proposed development would generate employment opportunities and economic benefits to those involved in the works, as well as any local suppliers. The future work force are also expected to bring economic benefits in terms of use of nearby services. Therefore it is considered that the proposed development would deliver economic benefits.

7.17.4 The proposed buildings would exceed current requirements in terms of energy efficiency, and the development would encourage the use of sustainable transport modes through the provision of cycle parking, electric vehicle charging points, and a contribution toward improving sustainable transport routes. The development would also achieve a net gain to biodiversity in excess of the 10% mandatory requirement. Therefore demonstrating the development would generate environmental and social benefits.

#### 7.18 Tilted Balance and Planning Balance

7.18.1 Subject to conditions, it is considered that any potential adverse impacts of the proposed development can be mitigated against. On that basis it is considered that any adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits of granting planning permission. As such, subject to the completion of a S106 agreement with the terms listed above, and subject to conditions it is considered that this development is acceptable.

### 8 **Recommendation**

8.1 That following the completion of a S106 agreement to secure the matters set out at 7.16 above, planning permission be granted subject to conditions.

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 Approved Plans**

The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. KP 322 TP 01, 02B, 03, 04A, 05, 06A, 07A, 08, 14B, 15A, 16. Drawings 9184-800C (External lighting layout), 9194/810B (External Plant Locations). Drawings 1115 MP 01G, 1115 SE 01, 02, 03, 04, 05, 1115 SW 01, 02, 03.

Reason: For the avoidance of doubt, in the proper interests of planning in accordance with Policies PSP3, CP1, CP6, CP8, CP9, CP10, and CP12 of the Core Strategy (adopted October 2011), Policies DM3, DM4, DM6, DM7, DM8, DM9, DM10, DM13, Appendices 4 and 5 of the Development Management Policies LDD (July 2013) and Policy SA2 and E(d) of the Site Allocations LDD (November 2014).

**Pre-Commencement conditions**

**C3 Construction Management Plan (HCC Highways)**

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) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
- k. Phasing Plan.

Reason: This is a pre-commencement condition to ensure that the management of the construction activities is considered prior to those activities taking place. The condition is required in order to protect highway safety and the amenity of other users of the public highway, and in the interest of the amenities of neighbouring occupiers, in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018) and Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011).

**C4 Construction Traffic Management Wear and Tear (HCC highways)**

No development shall commence (other than demolition works) until a road condition survey (along the section of Denham Way between the site access and the junction with Uxbridge Road and the section of Denham Way between the site access and the junction with Chalfont Road/ Mary Lodge Close) is completed and agreed in writing with the Highway Authority. Prior to the first use of the development hereby permitted a second survey shall be undertaken and submitted to and approved in writing by the Local Planning Authority. The survey shall provide details of any appropriate reinstatement works required to the carriageway and verges, along with the timescales for their completion. The works shall thereafter be completed to the satisfaction of the Highway Authority in accordance with the approved timescales.

Reason: This condition is required to be pre-commencement to ascertain the condition of the highway before development works commence. The condition is required in order to protect highway safety and the amenity of other users of the public highway in accordance with Policies 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018) and Policy CP10 of the Core Strategy (adopted October 2011).

#### C5 Foundation Works Method Statement (Affinity Water)

Prior to the commencement of the development (excluding construction of access, demolition and remediation works), no works shall take place until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

- i) A foundations works method statement and risk assessment detailing the depth and type of excavations to be undertaken including mitigation measures (eg appropriate design) to prevent or minimise any potential migration of pollutants to public water supply. Any excavations must be undertaken only in accordance with the terms of the approved method statement.
- ii) Acknowledgement of the need to notify Affinity Water of excavation works a minimum of 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 regard to water supply

The works shall thereafter take place only in accordance with the approved details.

Reason: This condition is required to be pre-commencement to ensure that details to safeguard the public water supply are submitted and approved before the works take place. The condition is required to avoid displacing any shallow contamination to a greater depth and to prevent and/or minimise any potential migration of pollutants to a public water supply abstraction 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).

#### C6 Contamination Remediation Plan (EH)

Prior to the commencement of development approved by this planning permission the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- i) An options appraisal and remediation strategy, based on the site investigation results and the detailed risk assessment (reported in the Ground Investigation Interpretive Report prepared by HDR Consulting Report ref. 10399283-HDR-XX-XX-RP-GE-14-0xxx-S0-P01.01.docx, Oct 2024), giving full details of the remediation measures required and how they are to be undertaken.
- ii) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (i) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components

require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: This condition is required to be pre-commencement to ensure that the scheme to deal with contamination is approved before any works take place that may uncover such contamination. This is 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 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).

**C7 Surface Water Drainage Scheme (Affinity Water)**

Prior to the commencement of the development (excluding construction of access, demolition and remediation works), no works shall be carried out until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

- i) A Final Surface Water Drainage Scheme, demonstrating at least 1m between the base of all proposed soakaways and the highest groundwater levels and appropriate use of sustainable urban drainage systems that prevent the mobilisation of any contaminants, ensuring protection of surface and ground water.
- ii) The development shall thereafter be implemented only in accordance with the scheme approved by this condition, which shall be in place prior to the first use of the development hereby permitted.

Reason: This is a pre-commencement condition to ensure a suitable surface water drainage scheme is designed and approved before works take place. The condition is required because surface water drainage can mobilise contaminants into the aquifer through infiltration in areas impacted by ground contamination. Surface water also has the potential to become contaminated and can enter the aquifer through open pathways, either created for drainage or moved toward existing open pathways where existing drainage has reached capacity. All have the potential to impact public water supply. Therefore a scheme is required to prevent the mobilisation of contaminants, ensuring protection of surface and ground water 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).

**C8 Details of Flood Resilient and Resistant Measures (LLFA)**

Prior to the commencement of the development (excluding demolition works), details of all flood resilient and resistant measures including finished floor levels shall be submitted to and approved in writing by the Local Planning Authority. The agreed measures shall then be installed in accordance with the approved details and maintained as such thereafter.

Reason: This is a pre-commencement condition to ensure that flood resilient and resistant measures are considered and designed into the scheme before works commence, to ensure the flood risk is adequately addressed and not increased in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013).

**C9 Details of Construction Phase Surface Water Management Plan (LLFA)**

Prior to the commencement of development (excluding demolition works) a detailed construction phase surface water management plan for the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall

thereafter be implemented only in accordance with the scheme as approved by this condition.

Reason: This is a pre-commencement condition to ensure that surface water is adequately dealt with during the construction phase and before the final surface water scheme has been implemented, to ensure that the construction of the site does not result in any flooding both on and off site and that all surface water drainage features are adequately protected in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013).

**C10 Site Waste Management Plan (HCC M&W)**

No development shall take place until a Site Waste Management Plan (SWMP) for the site has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type. The development shall be carried out in accordance with the approved SWMP.

Reason: This is a pre-commencement condition to ensure that the disposal of waste from the site in an appropriate way is considered prior to works taking place, and to promote the sustainable management of waste arisings and contribution towards resource efficiency, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012) and Policy DM10 of the Local Plan Development Management Policies LDD (adopted July 2013).

**C11 Dust management plan (EH)**

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 of the submitted Air Quality Assessment (Report 784-b068895 dated 7 October 2024). The development shall thereafter be carried out in accordance with the approved Dust Management Plan.

Reason: This condition is a pre-commencement condition to minimise dust caused from construction activities and when the development is in operation 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).

**C12 Construction Environmental Management Plan (Herts Ecology)**

No development shall take place (including ground works and vegetation clearance) until a Construction Environmental Management Plan (CEMP) for Maple Lodge Farm Ditch has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following.

- aa) A review of any ecological impacts informed by the submitted Preliminary Ecological Appraisal (Ecology and Land Management, December 2024)
- a) Risk assessment of potentially damaging construction activities.
- b) Identification of 'biodiversity protection zones'.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).

- d) The location and timings of sensitive works to avoid harm to biodiversity features.
- e) Responsible persons and lines of communication.
- f) Details of low impact lighting measures during construction for nocturnal wildlife compliant with Bat Conservation Trust and Institution of Lighting Professionals (2023).

Development shall thereafter proceed only in accordance with the approved CEMP

Reason: This is a pre commencement condition in the interests of safeguarding protected species and adjacent habitats 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).

#### C13 Tree Protection

Notwithstanding the submitted Arboricultural Report, 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) whatsoever shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees and vegetation shown on Drawing No. KP 322 TP 02B to be retained and all other trees not indicated as to be removed have been protected from any damage during site works, in accordance with a scheme designed in accordance with BS5837:2012, to be submitted to and approved in writing by the Local Planning Authority.

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 as approved 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. The condition is required because the submitted details do not specify adequate protection to existing trees during the course of the development works, but this concern can be addressed by further protection details being submitted for approval, 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 Materials (Prior to above ground works)

Prior to any works above ground floor level, and notwithstanding the material details shown on the approved plans, samples of the proposed cladding materials to be used in the construction of the warehouse buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented only in accordance with the materials approved by this condition.

Reason: To ensure the finished appearance of the buildings has an acceptable impact on the character and appearance of the locality, and to ensure the appearance of the rear elevation where it faces neighbouring residential properties is acceptable visually and would contrast appropriately with the proposed soft landscaping, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011).

### **Prior to first use or first occupation**



**C15 Full details of proposed access (HCC Highways)**

Prior to the commencement of any works to create the site access and internal roads, full details (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority to illustrate the following:

- i) Roads, footways.
- ii) Cycleways.
- iii) Foul and surface water drainage.
- iv) Visibility splays
- v) Access arrangements
- vi) Parking provision in accordance with adopted standard.
- vii) Loading areas.
- viii) Turning areas.

The development shall thereafter be implemented only in accordance with the details approved by this condition.

Reason: This is a condition to ensure suitable, safe and satisfactory planning and development of the site is accounted for and that the access and internal areas are suitably designed, accounted for and align with the highways technical approval process in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and Policy CP10 of the Core Strategy (adopted October 2011).

**C16 Travel Plan (HCC highways)**

At least 3 months prior to the first use of the approved development a detailed Travel Plan for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The approved Travel Plan shall be implemented in accordance with the timetable and target contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

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).

**C17 Remediation Verification Report (Affinity Water, EH)**

Following completion of the measures identified in the approved remediation scheme, and prior to the first use of any part of the development hereby permitted, a remediation verification report to confirm the appropriate removal of the contaminated area and that demonstrates the effectiveness of the remediation carried out, along with details of any monitoring and maintenance programme and copies of any waste transfer notes relating to exported and important soils shall be submitted to and approved in writing by the Local Planning Authority. The approved monitoring and maintenance programme shall thereafter be implemented in accordance with the approved details.

Reason: To provide confirmation that the risk of displacing this contamination to a greater depth has been addressed and to prevent and/or minimise any potential migration of pollutants to a public water supply abstraction during the construction and use of the development, and to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers,

neighbours and other offsite receptors in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

**C18 Drainage Survey and Verification Report (LLFA)**

Immediately following completion of the surface water drainage system, including any sustainable urban drainage system features, and prior to the first use of any part of the development hereby permitted, a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 7. Where necessary details of any corrective works to be carried out along with a timetable for their completion shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policies DM8 of the Development Management Policies LDD (adopted July 2013).

**C19 Drainage Scheme Maintenance and Management Responsibilities**

The development hereby approved shall not be first occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- i. a timetable for its implementation.
- ii. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
- iii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for the development and not increased in accordance with NPPF, Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

**C20 Improvement works to access (HCC Highways)**

Prior to the first occupation of any part of the development hereby permitted the vehicular and pedestrian access improvements, as indicated on drawing number 24-339-SK06 Rev C shall be finalised, completed and thereafter retained in accordance with details/specifications to be first submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure construction of a safe and satisfactory access to be used from the first use of the development hereby approved, in the interests of highway safety,

traffic movement and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and Policy CP10 of the Core Strategy (adopted October 2011).

#### C21 Hard and Soft Landscaping

Notwithstanding the submitted details, prior to the first occupation of the development hereby permitted, a scheme of hard and soft landscaping, which shall follow the principles set out within the Landscape Masterplan drawing 1115-MP-01 Rev G and in the Planting Proposals Southern Boundary drawings (1115-SW-01, 1115-SW-02A and 1115-SW-03) including species and initial planting heights and spacings, shall be submitted to and approved in writing by the Local Planning Authority. The hard landscaping details shall include locations, materials and method of drainage, and details including position, design and size of all means of enclosure within and around the site.

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 and permanently maintained as such thereafter.

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 and on the amenities of neighbours, and to ensure the site is suitably enclosed to protect the amenities of neighbours and ensure the use of Maple Lodge Close for vehicular access is restricted, in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

#### C22 Operational Noise Management Plan

Prior to the first use of the development hereby permitted, an Operational Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall set out how deliveries and collections will be managed so as to ensure any adverse impacts on neighbours from noise generated by these activities are minimised. The plan shall include details of the restriction of the type of reversing alarm for vehicles, the use of the building's doors to restrict noise outbreak and engines not idling, maintenance of the doors to reduce noise from operation, and details of the hours of use of the turning and parking areas and controls over idling vehicles in these areas. Details of site-wide refuse collection arrangements including hours shall also be included. The development shall thereafter be operated only in accordance with the details approved by this condition.

Reason: Reason: To protect the amenities of neighbouring occupiers in accordance with Policies CP1 and CP12 of the Core Strategy.

#### C23 External Plant – Unit 6

Prior to the first use of the external plant/equipment serving unit 6, details shall be submitted to and approved in writing by the Local Planning Authority in respect of the noise impacts of this equipment, and any mitigation measures necessary to ensure this plant can operate without adverse impact on the amenities of neighbouring occupiers. The plant shall thereafter be installed and maintained in accordance with the details approved by this condition.

Reason: To protect the amenities of neighbouring occupiers in accordance with Policies CP1 and CP12 of the Core Strategy.

### **Compliance**

#### **C24 Ecological Enhancement (Comply prior to first occupation)**

Prior to the first use of the development hereby permitted, the bat and biodiversity enhancement measures as set out at Section 3 of the submitted Bat and Biodiversity Enhancement report (November 2024, produced by Ecology and Land Management) shall be implemented in full and a statement from an appropriately qualified ecologist confirming that all the proposed features have been installed accordingly, accompanied by sufficient photographic evidence shall be submitted to and approved in writing by the Local Planning Authority.

The measures shall be maintained and permanently retained thereafter.

Reason: To ensure that the bat and biodiversity enhancement measures are implemented, in the interests of enhancing existing habitats 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).

#### **C25 Parking Spaces to be provided (Comply prior to first occupation)**

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, to ensure the development can accommodate its own parking demands and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and Policy CP10 of the Core Strategy (adopted October 2011).

#### **C26 Refuse and Cycle Store (Comply prior to first use)**

Prior to the first occupation of the development hereby permitted the refuse and recycling stores and cycle stores shall be constructed in the locations shown on drawing KP-322-TP-02 Rev B and in accordance with the details on drawing numbers 26692-TUR-DR-00-02 and 26692-TUR-DR-03-03 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).

#### **C27 Surface Water arrangements (HCC Highways) (Comply prior to first use)**

Prior to the first use of the development hereby permitted, arrangement shall be made for surface water from the proposed development to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.

Reason: To avoid the carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and Policy CP10 of the Core Strategy (adopted October 2011).

**C28 Electric Vehicle (EV) Charging Points (HCC Highways) – Comply prior to first use**

Prior to the first occupation of the development hereby permitted, provision shall be made for 17% of the car parking spaces to have active provision for EV charging and 20% of the car parking spaces to have passive provision for EV charging.

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018) and Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

**C29 Construct Acoustic Screen (Comply prior to first use)**

Prior to first use of any part of the development hereby permitted, the 6m high acoustic screen as detailed in section 3.0 of the submitted Noise Impact Assessment (dated May 2025) shall be installed in the location and specification as detailed at section 3.0 and Figure 3.1 of that report. The acoustic screen shall thereafter be maintained and retained in accordance with these details.

Reason: To safeguard the amenities of the occupiers of neighbouring properties to the south of the site, in particular from vehicle noise from the parking/turning area immediately adjacent to Units 5 and 6, 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).

**C30 Installation of Renewable Energy Measures (Comply prior to first use)**

Prior to the first use of the development hereby permitted, the sustainability measures detailed within the Energy and Sustainability Statement prepared by CHBS (Rev A, Dated 14/10/24) 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.

**C31 Unexpected Contamination (Affinity Water, EHO)**

If, during development, contamination not previously identified is found to be present at the site, particularly in the areas where the infiltration of surface water is proposed, then no further development shall be carried out until an investigation and risk assessment has been undertaken, and where remediation is necessary a remediation strategy/report detailing how contamination will be dealt with shall be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved with a robust pre- and post-monitoring plan to determine its effectiveness. Immediately following the completion of measures identified in the approved remediation strategy, a verification report must be prepared and submitted to and approved in writing by the Local Planning Authority.

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, and to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to

ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

**C32 Restrict Use of Maple Lodge Close access**

The Maple Lodge Close access shall not be used to access or use the development hereby permitted at any time, other than by vehicles involved with landscape management or maintenance activities.

Reason: Because the development has been designed to ensure that all vehicular traffic associated with the proposed use accesses the site from Denham Way, with that junction being improved to facilitate access and the noise report assumptions also based on this use. Access via Maple Lodge Close may not be suitably safe in highway safety terms and may result in additional noise and disturbance to neighbours which would not be acceptable. The condition is therefore required in the interests of highway safety and neighbouring amenity in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

**C33 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 to protect the amenities of neighbours, to 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).

**C34 Restrict the use of the 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, the noise mitigation controls and the car parking availability, 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), Policy 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 (adopted November 2014).

**C35 Remove PD and no more floorspace**

Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 and the provisions of Classes A and H 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).

**C36 Hours of use – Units 5 and 6**

No deliveries or collections shall take place at any time:

- To/from Units 1 – 4, by HGV, other than between 07:00 and 23:00 on Weekdays, between 08:00 and 23:00 on Saturdays, and between 09:00 and 21:00 on Sundays, Bank and Public Holidays.
- To/from Units 5 and 6 other than between 07:00 and 23:00 on Weekdays, between 08:00 and 23:00 on Saturdays, and between 09:00 and 21:00 on Sundays, Bank and Public Holidays.

Reason: To safeguard the residential amenities of the occupiers of neighbouring properties, in particular from noise and disturbance from activities associated with deliveries and collections, 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).

**C37 Lighting**

The external lighting installed on the site and affixed to the building(s) shall be undertaken only in accordance with drawing number 9194/800 Rev B (Church House Building Services Ltd) and the document 'External Lighting Revision 3' 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 at any time.

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).

**C38 Fire Hydrants (HCC Fire)**

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 first 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).

**C39 Landscape Maintenance**

The new tree and landscape planting shall be planted and maintained in accordance with the submitted Landscape Strategy (Report 1115-ST-03 Rev C dated June 2024).

Reason: To ensure the development site is suitably prepared for the proposed soft landscaping, and to ensure the landscaping is suitably maintained to protect and enhance 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).

- C40 The development hereby permitted shall at all times be implemented and operated in accordance with the submitted Outline Car Parking Management Plan (Report Ref 24/339/CPMP/B dated June 2025).

Reason: To ensure parking within the site is suitably managed at all times, to ensure spaces are used properly and effectively and to ensure car parking does not result in obstructions to the site access which could in turn result in queueing traffic in to/out of the site which obstructs the public footway or public highway (Denham Way/A412) which would be detrimental to the free flow of traffic and the safety of highway users, to accord with Policies CP1 and CP10 of the Local Plan Core Strategy.

### **Mandatory Biodiversity Net Gain**

- C41 BNG Habitat Management and Monitoring Plan

Prior to the commencement of the development (excluding demolition works) a Habitat Management and Monitoring Plan ("the HMMP"), prepared in accordance with the approved Biodiversity Gain Plan shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall include:

- (a) non technical summary;
- (b) the roles and responsibilities of the people or organisation (s) delivering the HMMP;
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the first occupation of the development and;
- (e) the monitoring methodology and frequency (e.g. year 1, 3, 5, 10, 15, 20, 25 and 30) in respect of the created or enhanced habitat to be submitted to and approved in writing by the Local Planning Authority:

The created and/or enhanced habitat specified in the HMMP shall be managed and maintained in accordance with the approved HMMP.

Reason: This is a pre-commencement condition to ensure that the net gain for biodiversity on site is delivered, maintained and managed in the interests of local biodiversity in accordance Schedule 7A of the Town and Country Planning Act 1990 and Policy DM6 of the Development Management Policies LDD (adopted July 2013) and for the purposes of para 9(2) and 9(3) of Schedule 7A of the Town and Country Planning Act 1990.

- C42 Notice of the implementation of the HMMP

Notice in writing shall be given to the Local Planning Authority when the agreed Habitat Management and Monitoring Plan ("the HMMP") as secured by Condition 40, has been implemented.

The required Notice in writing to the Local Planning Authority shall be provided within 21 days of the implementation of the HMMP.



Reason: This is to ensure that the Local Planning Authority have knowledge when the habitat enhancement and creation works have been implemented to enable effective monitoring in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

**C43 HMMP works completed**

The habitat creation and enhancement works set out in the approved HMMP (as secured by Condition 40) should be completed in the first planting and seeding season after the completion of construction or the first use of the development, whichever is first. A completion report, evidencing the completed habitat enhancements, shall be submitted to and approved in writing by the Local Planning Authority after the first planting and seeding season following completion of construction or first use of the development.

Reason: This is to ensure that the Local Planning Authority have knowledge when the habitat enhancement and creation works have been implemented to enable effective monitoring in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013).

**C44 Biodiversity Monitoring - Compliance**

Monitoring reports shall be submitted to the Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved HMMP (as secured by Condition 40).

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

**C45 Biodiversity Gain Plan - Compliance**

The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Metric Baseline Report (dated September 2024, prepared by Ecology and Land Management).

Reason: This is to ensure that the biodiversity and ecological information submitted with the planning application is realised through the Biodiversity Gain Plan, in the interests of local biodiversity and to ensure biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy DM6 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 which includes a fee.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 01438 879990 or at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk).

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this (cil@threerivers.gov.uk). 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.

Following the grant of planning permission by the Local Planning Authority it is accepted that new issues may arise post determination, which require modification of the approved plans. Please note that regardless of the reason for these changes, where these modifications are fundamental or substantial, a new planning application will need to be submitted. Where less substantial changes are proposed, the following options are available to applicants:

{\b (a)} Making a Non-Material Amendment

{\b (b)} Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (<https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy>).

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. Further information on how to incorporate changes to reduce your energy and water use is available at: <https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home>.

- 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 applicant and/or their agent and the Local Planning Authority engaged in pre-application discussions which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

- 13 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
  - b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Three Rivers District Council.

Based on the information available, this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Where the Local Planning Authority considers that the permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990, the permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun, and, if subject to phased development, before each phase of development may be begun (Phase Plans).

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

More information can be found in the Planning Practice Guidance online at <https://www.gov.uk/guidance/biodiversity-net-gain>.

- 14 The applicant is reminded that this planning permission is subject to either a unilateral undertaking or an agreement made under the provisions of Section 106 of the Town and Country Planning Act 1990. It is extremely important that the applicant is aware of the stipulations, covenants and obligations set out within any legal agreements tied to the planning permission. This may include the requirement to notify the Council prior to commencement of the development (as defined within the legal agreement) if certain obligations are required to be paid, for example, an affordable housing contribution including indexation.
- 15 Highways Authority Advisory Notes:

AN1) Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website: [www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx](http://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx)

AN2) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN4) Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

AN5) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

AN6) 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>

AN7) Abnormal loads and importation of construction equipment (i.e. large loads with: a width greater than 2.9m; rigid length of more than 18.65m or weight of 44,000kg - commonly applicable to cranes, piling machines etc.): The applicant is directed to ensure that operators conform to the provisions of The Road Vehicles (Authorisation of Special Types) (General) Order 2003 in ensuring that the Highway Authority is provided with notice of such movements, and that appropriate indemnity is offered to the Highway Authority. Further information is available via the Government website [www.gov.uk/government/publications/abnormal-load-movements-application-and-notification-forms](http://www.gov.uk/government/publications/abnormal-load-movements-application-and-notification-forms) or by telephoning 0300 1234047.

AN8) Travel Plan (TP): A TP, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via 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> OR by emailing [travelplans@hertfordshire.gov.uk](mailto:travelplans@hertfordshire.gov.uk).

- 16 In order to protect breeding birds, their nests, eggs and young, development should only be carried out during the period October to February inclusive. If this is not possible then a pre-development (i.e. no greater than 48 hours before clearance begins) search of the area should be made by a suitably experienced ecologist. If active nests are found, then works must be delayed until the birds have left the nest or professional ecological advice taken on how best to proceed
- 17 The applicant is advised that, in accordance with guidance from Thames Water, petrol / oil interceptors should be fitted in all car parking areas to avoid oil-polluted discharges entering local watercourses.
- 18 An European Protected Species Licence from Natural England is required to deliver this development due to the confirmed presence of a maternity and hibernation roost. It will be an offence if works proceed without a bat licence. It will also be an offence if the terms of conditions of the bat licence, including in particular the mitigation and compensation requirements under the licence (which may require certain measures to be delivered before the development works start), are not adhered to.
- 19 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.

## 9 Appendix 1: Consultation Responses

### 9.1 Active Travel England: [Comment received]

Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application. Our standing advice can be found here: <https://www.gov.uk/government/publications/active-travel-england-sustainable-development-advice-notes>

### 9.2 Affinity Water (17/01/25 – Response 1): [Objection]

Thank you for notification of the above planning application. These are referred to us where our input on issues relating to water quality or quantity may be required.

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 (AW).

We currently object to the application as we require further information for our review, to allow us to assess the application in greater detail and, if we are able to remove our objection, provide informed condition requirements.

This further information should cover the following concerns:

- Groundworks 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 discovery of heightened hydrocarbons. We require details of the proposals for the remediation works and further groundwater monitoring during and after the development to ensure contamination hasn't been moved towards the public water supply abstraction.
- The proposals for surface water to be dealt with via infiltration and the risks of this mobilising onsite contamination towards the public water supply abstraction.

We need to ensure we have been provided with as much information as possible for our review, as issues arising from the development 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.

At this time it is our view that the development as proposed represents a risk to groundwater, however if our requests, set out above, have been addressed we may ask that appropriate conditions are imposed to protect the public water supply.

#### 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](mailto: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](mailto: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](mailto:maps@affinitywater.co.uk). Please note that charges may apply.

#### 9.2.1 Affinity Water (07/04/25 – Response 2): [No objection, conditions recommended]

Following on from our response dated 17/01/25 we have since been provided with further information for our review and we are now prepared to remove our objection, provided that the following conditions are applied to the development:

##### Contamination through Ground Works:

It is understood that foundations for the new buildings will comprise of traditional concrete pads bearing onto the shallow gravel that will not extend into the chalk and no new pathways will be created between the gravel and the chalk. For these excavation works the following condition needs to be implemented. If there are any changes to this planned foundation type (e.g. to piling) we will need to be reconsulted as we will have particular condition requests in this case.

##### Condition 1

Prior to the commencement of the development, no works shall be carried until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

- A Foundations Works Method Statement and Risk Assessment detailing the depth and type of excavations to be undertaken including mitigation measures (e.g. appropriate design) to prevent or minimise any potential migration of pollutants to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.

- Acknowledgement of the need to 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: To avoid displacing any shallow contamination to a greater depth and to prevent and/or minimise any potential migration of pollutants to a public water supply abstraction.

Previously identified contamination:

It is understood that localised dissolved phase hydrocarbons were detected on site and it is proposed that the removal of this will be undertaken as part of the development enabling works. This will comprise excavation and offsite disposal of impacted soils and collection and testing of validation samples.

##### Condition 2

We require the submission of a Remediation Verification Report to confirm the appropriate removal of the contaminated area.

Reason: To provide confirmation that the risk of displacing this contamination to a greater depth has been addressed and to prevent and/or minimise any potential migration of pollutants to a public water supply abstraction during the construction and use of the development.

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 3

If, during development, contamination not previously identified is found to be present at the site, particularly in the areas where the infiltration of surface water is proposed, then no further development shall be carried out until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

- A Remediation Strategy/Report detailing how contamination will be dealt with. 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.

Contamination through Surface Water Drainage

:

Surface water drainage should use appropriate Sustainable Urban Drainage Systems that prevent the mobilisation of any contaminants where a direct pathway to the aquifer is present. This should use appropriate techniques that prevent direct pathways into the aquifer and that ensure sufficient capacity is provided for all surface water to be dealt with on site, preventing consequential flooding elsewhere.

#### Condition 4

Prior to the commencement of development, no works shall be carried out until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

- A Final Surface Water Drainage Scheme demonstrating at least 1m between the base of all proposed soakaways and the highest groundwater levels and appropriate use of sustainable urban drainage systems that prevent the mobilisation of any contaminants ensuring protection of surface and groundwater.

Reason: Surface water drainage can mobilise contaminants into the aquifer through infiltration in areas impacted by ground contamination. Surface water also has the potential to become contaminated and can enter the aquifer through open pathways, either created for drainage or moved towards existing open pathways where existing drainage has reached capacity. All have the potential to impact public water supply.

Issues arising from any of the above 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 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](mailto: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](mailto: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](mailto:maps@affinitywater.co.uk). Please note that charges may apply.

#### 9.2.2 Affinity Water (25/04/25 – Response 3): [No objection, conditions recommended]

Following on from our response dated 17/01/25 we have since been provided with further information for our review and we are now prepared to remove our objection, provided that the following conditions are applied to the development:

##### Contamination through Ground Works:

It is understood that foundations for the new buildings will comprise of traditional concrete pads bearing onto the shallow gravel that will not extend into the chalk and no new pathways will be created between the gravel and the chalk. For these excavation works the following condition needs to be implemented. If there are any changes to this planned foundation type (e.g. to piling) we will need to be reconsulted as we will have particular condition requests in this case.

##### Condition 1

Prior to the commencement of the development (excluding access, demolition and remediation works), no works shall be carried until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

- A Foundations Works Method Statement and Risk Assessment detailing the depth and type of excavations to be undertaken including mitigation measures (e.g. appropriate design) to prevent or minimise any potential migration of pollutants to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.
- Acknowledgement of the need to 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: To avoid displacing any shallow contamination to a greater depth and to prevent and/or minimise any potential migration of pollutants to a public water supply abstraction.

#### Previously identified contamination:

It is understood that localised dissolved phase hydrocarbons were detected on site and it is proposed that the removal of this will be undertaken as part of the development enabling works. This will comprise excavation and offsite disposal of impacted soils and collection and testing of validation samples.

#### Condition 2

Prior to the commencement of development (excluding access, demolition and remediation works) no works shall be carried out until a Remediation Verification Report (to confirm the appropriate removal of the contaminated area) has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water

Reason: To provide confirmation that the risk of displacing this contamination to a greater depth has been addressed and to prevent and/or minimise any potential migration of pollutants to a public water supply abstraction during the construction and use of the development.

#### 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 3

If, during development, contamination not previously identified is found to be present at the site, particularly in the areas where the infiltration of surface water is proposed, then no further development shall be carried out until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

- A Remediation Strategy/Report detailing how contamination will be dealt with. 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.

#### Contamination through Surface Water Drainage:

Surface water drainage should use appropriate Sustainable Urban Drainage Systems that prevent the mobilisation of any contaminants where a direct pathway to the aquifer is present. This should use appropriate techniques that prevent direct pathways into the aquifer and that ensure sufficient capacity is provided for all surface water to be dealt with on site, preventing consequential flooding elsewhere.

#### Condition 4

Prior to the commencement of development (excluding access, demolition and remediation works), no works shall be carried out until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

- A Final Surface Water Drainage Scheme demonstrating at least 1m between the base of all proposed soakaways and the highest groundwater levels and appropriate use of sustainable urban drainage systems that prevent the mobilisation of any contaminants ensuring protection of surface and groundwater.

Reason: Surface water drainage can mobilise contaminants into the aquifer through infiltration in areas impacted by ground contamination. Surface water also has the potential to become contaminated and can enter the aquifer through open pathways, either created

for drainage or moved towards existing open pathways where existing drainage has reached capacity. All have the potential to impact public water supply.

Issues arising from any of the above 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 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](mailto: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](mailto: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](mailto:maps@affinitywater.co.uk). Please note that charges may apply.

#### 9.3 Environment Agency (14/01/25): [No objection]

Due to the nature of the site, there would be no comments from the Environment Agency for this application.

#### 9.4 Hertfordshire County Council – Highway Authority (13/12/24): [No objection, Conditions recommended]

##### Recommendation

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

#### CONDITIONS

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

- i) Roads, footways.
- ii) Cycleways.
- iii) Foul and surface water drainage.
- iv) Visibility splays
- v) Access arrangements
- vi) Parking provision in accordance with adopted standard.
- vii) Loading areas.
- viii) Turning areas.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

2) Existing Access – Improved

Prior to the first occupation / use hereby permitted the vehicular/ pedestrian access improvements, as indicated on drawing number (24-339-SK06 Rev C), shall be finalised, completed and thereafter retained in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and no other vehicle access will be permitted.

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

3) Surface Water: Prior to the first use of the development hereby permitted, arrangement shall be made for surface water from the proposed development to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.

Reason: To avoid the carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

4) Electric Vehicle (EV) Charging Points as % of total car parking spaces

Prior to the first occupation / use of the development hereby permitted, provision shall be made for 17% of the car parking spaces to have active provision for EV charging and 20% of the car parking spaces to have passive provision for EV charging.

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

5) 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) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;

- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
- k. Phasing Plan.

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).

#### 6) Construction Traffic Management and Routing / Exceptional Wear and Tear

No development shall commence until a road condition survey (along the section of Denham Way between the site access and the junction with Uxbridge Road and the section of Denham Way between the site access and the junction with Chalfont Road/ Mary Lodge Close) is completed and agreed in writing with the Highway Authority. On completion of the development a second survey shall be undertaken and any appropriate reinstatement works to the carriageway and verges shall be completed to the satisfaction of the Highway Authority.

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

#### 7) Travel Plan – Requested Prior to Use

At least 3 months prior to the first occupation / use of the approved development a detailed Travel Plan for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The approved Travel Plan shall be implemented in accordance with the timetable and target contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

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).

### APPROPRIATE INFORMATIVES

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:

AN1) Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website: [www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx](http://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx)

AN2) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN4) Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

AN5) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

AN6) 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>

AN7) Abnormal loads and importation of construction equipment (i.e. large loads with: a width greater than 2.9m; rigid length of more than 18.65m or weight of 44,000kg - commonly applicable to cranes, piling machines etc.): The applicant is directed to ensure that operators conform to the provisions of The Road Vehicles (Authorisation of Special Types) (General) Order 2003 in ensuring that the Highway Authority is provided with notice of such movements, and that appropriate indemnity is offered to the Highway Authority. Further information is available via the Government website [www.gov.uk/government/publications/abnormal-load-movements-application-and-notification-forms](http://www.gov.uk/government/publications/abnormal-load-movements-application-and-notification-forms) or by telephoning 0300 1234047.

AN8) Travel Plan (TP): A TP, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of

£6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via 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> OR by emailing [travelplans@hertfordshire.gov.uk](mailto:travelplans@hertfordshire.gov.uk)

## COMMENTS

Maple Cross House site is located at the northern end of the the Urban area of Maple Cross within the Three Rivers District Council (TRDC) area, circa 800m southwest of the larger Rickmansworth (also TRDC) and 5km southwest of central Watford (WBC). The brownfield site, currently host to two office buildings and a Multi Storey Car Park (MSCP), is bound: to the south by existing residential areas, to the east by a greenfield, to the north by existing offices, and to the west by the A412 North London Orbital Road (Denham Way). It is proposed to demolish the existing buildings and erect six number flexible employment use units of circa 8,030 sqm GEA. The existing buidings consist of Maple Cross House with a total floor area of 9,965 sqm, and the Kier office building with a total floor area of 1,472 sqm (11,437sqm of offices).

### Sustainable Transport Access

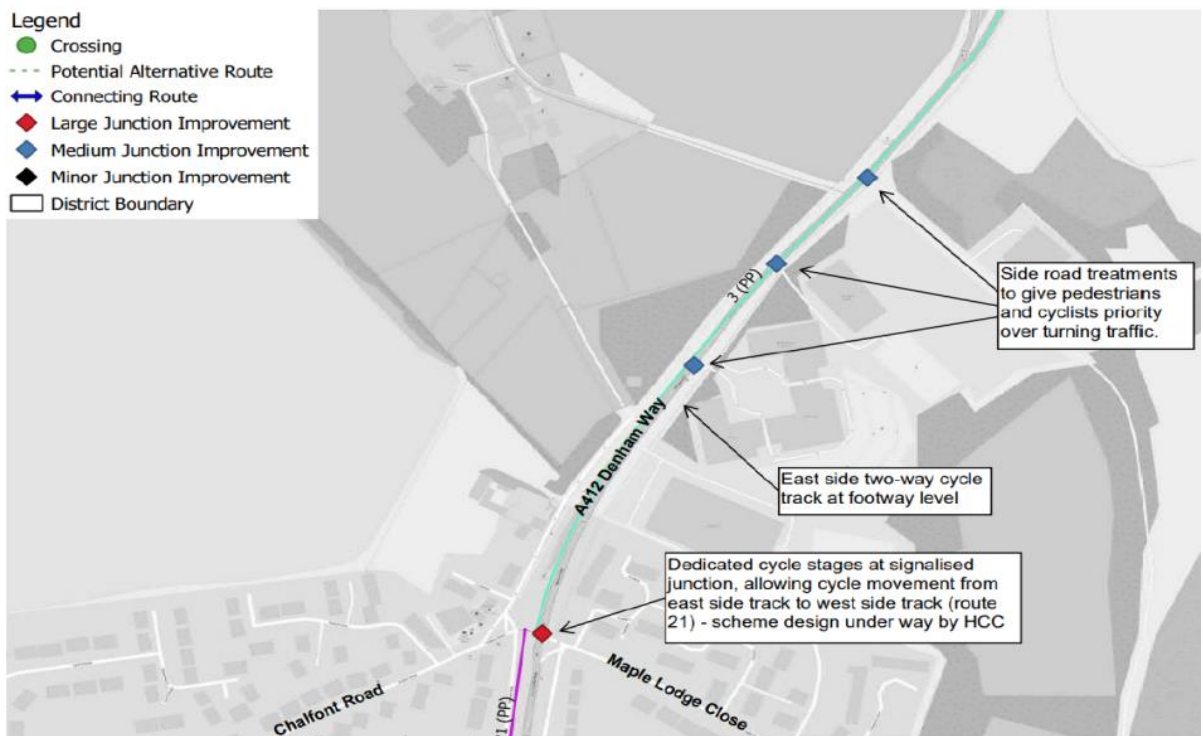
In line with the Policies of LTP4, particularly Policies 1 (the Transport User Hierachy) and 5 (Development Management) it is essential given the declared climate emergency that the issue of sustainable access is considered first and the appropriate infrastructure provided to unlock a site sustainably.

The site is reasonably well located to the sustainable transport network with a shared use foot/cycleway located immediately to the west of the site on the eastern side of the 40mph Denham Way and crossings are located within reasonable distance to allow access to/ from the residential area and the bus stops to western side of the road.

Rickmansworth station is approximately a 3.5km (14-15mins) cycle via Uxbridge Road. Whilst it is noted that some potential cyclists may consider that Uxbridge Road and through Rickmansworth and the Ebury roundabout may present an aggressive environment, it is also noted that Three Rivers District Council (TRDC) and Hertfordshire County Council (HCC) are developing a Local Cycling and Walking Infrastructure Plan (LCWIP) which through route 3 will facilitate a 4km (16-20mins) cycle to the station via quieter roads.

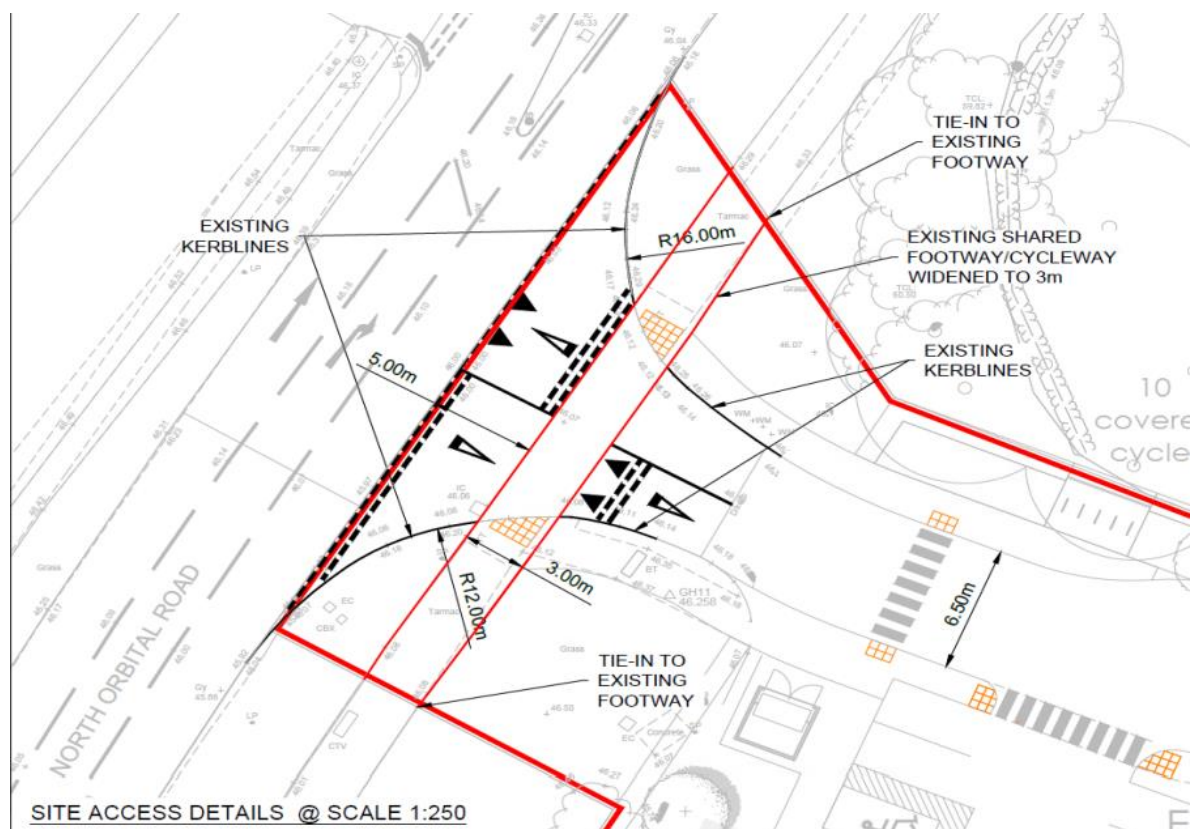
TRDC's LCWIP Route 3 extends passed the proposed site's access junction. The completed route will ensure a smooth continuous route for cyclist along Denham Way that will prioritise cyclists through 'Copenhagen Style Continuous' crossings. The original LCWIP Route 3 addresses the three similar accesses to the the sites North East of the proposal site. However, with the predicted reduction in traffic through the junction compared to the existing uses, it was considered that there was an opportunity to treat the proposal access in the same manor.





### LCWIP Route 3 at Denham Way

The applicant has agreed to facilitate SADC's LCWIP Route 3 at their access junction and install a 'Copenhagen Style Continuous crossing'.



The initial design may need to be adjusted slightly through the S278 process to accommodate segregation of pedestrians and cyclists, however HCC is content that there is scope to do this if necessary and do not want to restrict the planning permission and are



content the site can be unlocked sustainably to a degree with the LCWIP scheme fully unlocking the site for all.

## Road Safety

The transport consultants for the applicant undertook a detailed review of Personal Injury Collisions (PICs) on the road network within the last 5 years and concluded:

"Although all PICs are regrettable, the frequency of PICs and the fact that the proposed development represents a reduction in traffic when compared to the extant use, does not suggest that there are any existing safety problems that would be exacerbated by the proposed development."

Whilst HCC agrees that road safety won't be exasperated by the proposed development, its notes that there was one serious collision involving a Light Goods Vehicle (LGV) rear ending a cyclist already on the Uxbridge Road/ Denham Way roundabout as the LGV entered from Uxbridge Road, highlighting the need for the LCWIP development.

## Trip Generation/ Attraction and Vehicle Impact

As previously indicated the previous site was host to Maple Cross House with a total floor area of 9,965 sqm, and the Kier office building with a total floor area of 1,472 sqm (11,437sqm of offices). Whilst the offices are shut the national Trip Generation database (TRICS) and the 2011 national census (SOA E02004964) suggested that the those employed at the site travelled as per below:

**Table 4E Extant Trip Generation – All Modes [Overall Site]**

Modes	AM Peak Hour			PM Peak Hour		
	In	Out	Two-way	In	Out	Two-way
Driving in a car/ van	169	18	187	19	119	138
Passenger in a car/van	7	1	8	1	5	6
Bicycle	1	0	1	0	1	1
On Foot	6	1	7	1	5	6
Train	16	1	17	1	12	13
Bus	3	0	3	0	2	2
Other	0	0	0	0	0	0
<b>Total</b>	<b>202</b>	<b>21</b>	<b>223</b>	<b>22</b>	<b>144</b>	<b>166</b>

The proposed six number flexible employment use units of circa 8,030 sqm (GEA) would attract people trips in the following numbers:

**Table 7B Proposed Development Trip Generation – All Modes [7,540 sqm]**

Modes	AM Peak Hour			PM Peak Hour		
	In	Out	Two-way	In	Out	Two-way
Driving in a car/ van	47	18	65	36	42	78
Passenger in a car/van	2	1	3	1	2	3
Bicycle	0	0	0	0	0	0
On Foot	2	1	3	1	2	3
Train	4	2	6	3	3	6
Bus	1	0	1	2	1	3
Other	0	0	0	0	0	0
<b>Total</b>	<b>56</b>	<b>22</b>	<b>78</b>	<b>43</b>	<b>50</b>	<b>93</b>

It is clear that the proposed development will generate less motorised vehicles than what was previously operational and the impact would be neutral. None-the-less, the analysis is based on the 2011 census for method of journey to work which observed 83% of trips by car/ van and inline with policies both local and national a Travel Plan is conditioned in order to promote the greater use of sustainable transport.

None-the-less the applicant has undertaken capacity assessment for the proposed site access (priority) junction and at the signalised Denham Way / Chalfont Road / Maple Lodge Close junction.

The transport planning industry standard Junctions 10 Software from the UK's Transport Research Laboratory (TRL) was utilised in order to understand how the site access junction operated in capacity terms. The results of which in summary are:

**Table 8C Capacity Assessment – Site Access / Denham Way**

Peak Hour	Approach	2029 Reference Scenario			2029 Total Scenario		
		RFC	Queues	Delay	RFC	Queues	Delay
AM Peak Hour	Site Access (LT)	0.01	0.0	9.32	0.01	0.0	9.06
	Site Access (RT)	0.13	0.1	40.36	0.15	0.2	39.96
	Denham Way (Right In)	0.09	0.1	11.12	0.03	0.0	9.67
PM Peak Hour	Site Access (LT)	0.05	0.1	8.21	0.02	0.0	7.37
	Site Access (RT)	0.32	0.5	18.47	0.14	0.2	15.70
	Denham Way (Right In)	0.01	0.0	7.56	0.02	0.0	7.71

**Note: RFC = ratio of flow to capacity, Queues measures in vehicles, delay measured in seconds**

The reference scenario predicts 2029 in a scenario where the previous offices had remained operational and the 2029 Total scenario considers the proposed development in their place.

Within Junctions 10 the Ratio of Flow to Capacity (RFC) of an approach gives an indication of how it would perform. The recognised operational threshold for RFC's is 0.85, beyond which cognisance of queuing is required. From the above table it is clear that whilst the predicted impact of the existing offices at the site access junction is minimal in 2029, comparatively the proposed development results in an improved operation. A maximum RFC of just 0.15 predicted during the AM peak hour (0.14 correspondingly during the PM peak hour) for the right right turn exit from the site and no queuing on Denham Road.

As per the industry normal the Linsig model was utilised to predict the performance of the signalised Denham Way / Chalfont Road / Maple Lodge Close junction which in summary were:

**Table 8D Capacity Assessment – Denham Way / Chalfont Rd /Maple Lodge Close**

Peak Hour	Approach	Lane	2029 Reference Scenario			2029 Total Scenario		
			DoS	Queues	Delay	DoS	Queues	Delay
AM Peak Hour	Denham Way (N)	Lane 1 + Lane 2	79.7%	19	19.2	79.1%	19	18.7
	Maple Lodge Close	Lane 1	43.3%	2	59.8	41.3%	2	59.0
	Denham Way (S)	Lane 1 + Lane 2	87.9%	23	32.2	85.9%	22	30.1
	Chalfont Road	Lane 1	15.9%	1	53.5	15.9%	1	53.4
PM Peak Hour	Denham Way (N)	Lane 1 + Lane 2	49.7%	7	11.9	48.6%	7	11.8
	Maple Lodge Close	Lane 1	50.1%	2	63.4	40.4%	2	59.3
	Denham Way (S)	Lane 1 + Lane 2	49.6%	9	16.8	50.0%	9	16.9
	Chalfont Road	Lane 1	23.8%	1	53.0	23.8%	1	53.0

**Note: DoS = degree of saturation, Queues measures in PCUs, delay measured in seconds**

The Degree of Saturation (DoS) provides a guideline threshold for signalised junction where a DoS of 90% is recognised as an operational threshold. Whilst the junction is busy during the AM peak it is clear that the development (2029 Total) represents a slight improvement compared to a scenario where the existing offices had remained operational (2029 Reference Scenario). The maximum DoS with the proposed development is 85.9% compared to 87.9% with the existing offices in place.

Given the primarily the predicted Trip Generation and the above model results HCC Highways is content that the proposed development will not result in any additional vehicle impact.

### Parking

Whilst HCC Highways consider that the proposed level of car parking (in line with the TRDC standards for B2 and B8 development but not for full Eg(iii) use) has been demonstrated to be sufficient, in line with local precedents and would have no objections, it must be noted that the final decision on car parking levels will be decided by TRDC.

It is noted however that Electric Vehicle (EV) and disabled parking is to be provided fully in line with the TRDC parking standards and that Magna proposes a car park management plan.

### Contributions

HCC Highways operate two levels of mitigation agreements (Strand 1 and Strand 2). Strand 1 mitigation works being works that are directly required to unlock the development and solely the responsibility of the development. Strand 2 mitigation works being works that address the wider cumulative impact of the development for which the development isn't solely responsible for but does derive benefit from.

In the first instance (Strand 1) HCC would envisage that the agreed site access junction and necessary sustainable transport improvements (both on and off site) are delivered through a S278 agreement and travel plan contributions are contained in a s106 agreement.

In the second instance (Strand 2) HCC calculate an appropriate headline figure based on the findings of HCC's adopted Developers Planning Obligation Toolkit (2021). Strand 2 contributions should address the cumulative impacts of all development, large and small, facilitating delivery and enhancement of the necessary active and sustainable transport networks. These local sustainable networks must be provided in their entirety to provide the sustainable connections to the key trip generators, as such contributions will be pooled to fund these networks within the local area subject to any legislative restrictions), as supported by National Planning Policy Framework (NPPF).

This second strand contribution is intended to help implement broader transport measures in the catchments of new development from which contributions are secured. The need for second strand contributions will be balanced against the level of first strand contributions and any other relevant planning matters.

A review of the TRICS database (considering sites within England and Wales surveyed in the last 5 years pre covid) suggested that a site of this nature could create approximately 171 jobs, which coincides with mid range estimate presented in scoping to HCC Highways by the applicants transport consultant. Therefore, in order to address the cumulative impact of development HCC would normally expect a Strand 2 contribution of £72,768. It is anticipated that this would be directed to the aforementioned LCWIP scheme (PP3) which is required to fully unlock the site sustainably for all.

## 9.5 Hertfordshire County Council – Lead Local Flood Authority (28/01/25 – Response 1): [Objection]

We are concerned that no calculations have been provided for the site. At full planning stage, full network calculations for all rainfall return periods up to and including the 1% AEP plus appropriate climate change allowance should be provided utilising the correct parameters (FEH2013/FEH22, correct climate change allowance on the 3.33% and 1%

AEP event and CV value of 1). Additionally, we are concerned that safe access and egress has not been outlined. Whilst the site is not at major risk, the surrounding access road is at high risk of surface water flooding. We would recommend that safe access is clearly laid out.

We object to this planning application in the absence of an acceptable Flood Risk Assessment and Drainage Strategy relating to:

- The proposed SuDS are likely to increase the risk of flooding elsewhere.
  - The development is not in accordance with NPPF, PPG or local planning policies.
- o Three Rivers SFRA Level 1

Reason To prevent flooding in accordance with National Planning Policy Framework paragraphs 181, 182 and 187 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

We will consider reviewing this objection if the issues highlighted on the accompanying Planning Application Technical Response document are adequately addressed.

The main points of this are;

- 1) Calculations have not been provided.
- 2) Safe access and egress has not been outlined clearly.
- 3) Greenfield / brownfield runoff rates have not been included.
- 4) Existing site conditions are not outlined clearly.

Informative

For further advice on what we expect to be contained within the FRA and/ or a Drainage Strategy to support a planning application, please refer to the Validation List and proforma on our surface water drainage webpage <https://www.hertfordshire.gov.uk/services/recycling-waste-andenvironment/water/surface-water-drainage/surface-water-drainage.aspx> this link also includes HCC's Flood Risk Management policies on SuDS in Hertfordshire. We do expect the Validation List to be submitted to the Local Planning Authority and LLFA to show you have provided all information and the Proforma to the LLFA to summarise the details of the proposed development.

Both FEH13 and FEH22 are currently accepted to support drainage modelling calculations. For the avoidance of doubt the use of FSR and FEH1999 data has been superseded and therefore, use in rainfall simulations are not accepted

9.5.1 Hertfordshire County Council – Lead Local Flood Authority (10/04/25 – Response 2): [Objection]

We previously responded to this application on 28 January 2025 objecting to no full network calculations, safe access and egress and finished floor level. We have reviewed the documentation as submitted (Response to the LLFA, prepared by HDR, 17 March 2025 and Flood Risk Assessment and Drainage Strategy, prepared by HDR, 17 March 2025) and have the following comments to make.

We are still concerned that there is minimal freeboard shown on the drawings. We would like to remind the applicant that the statutory freeboard is 150mm above the external ground levels or 300mm above the design flood level as a minimum. Additionally, we are concerned that greenfield volumes and brownfield runoff rates and volumes have not been submitted. A full list of objections have been outlined below for ease of reference.

We maintain our objection to this planning application in the absence of an acceptable Flood Risk Assessment and Drainage Strategy relating to:

- The proposed SuDS are likely to increase the risk of flooding elsewhere.
- The development is not in accordance with NPPF, PPG or local planning policies

#### Reason

To prevent flooding in accordance with National Planning Policy Framework paragraphs 181, 182 and 187 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

We will consider reviewing this objection if the issues highlighted on the accompanying Planning Application Technical Response document and below are adequately addressed.

The objections are as follows:

- The drainage layout drawing now shows finished floor levels. However, there is minimal difference between the finished floor levels and the neighbouring cover levels are set. We require justification as to whether 150mm has been given from the external ground levels and 300mm has been given from the maximum design water level.
- Brownfield runoff rates have not been provided.
- No further treatment has been included. Soakaways are being used on site.
- Calculations are showing urban creep allowance as 0%.
- The drainage drawing is preliminary status
- It is still unclear whether the correct CV value has been used.
- Several nodes on the 1% AEP plus 40% climate change allowance event are shown to FLOOD (i.e. Soakaway, Porous Paving, Porous Paving (11), Pipe 15.000). It should be evidenced how the 1% AEP plus climate change event will not leave the site boundary at the affected nodes.
- Above ground flooding has not been shown on a plan. The 1% AEP plus climate change event needs to be provided on a drawing with external ground levels and finished floor levels of the buildings.
- Exceedance flow routes have not been included on the drainage drawing.
- Half drain down times have not been included in the updated network calculations.
- This application has still not provided a construction phase water quality plan. We would be willing to condition this if the above objections are rectified.

#### 9.5.2 Hertfordshire County Council – Lead Local Flood Authority (16/04/25 – Response 3): [Objection]

We previously responded to this application on 9 April 2025 objecting to finished floor level, brownfield runoff rates, surface water treatment, flooding in the calculations, above ground flooding and exceedance flow routes and construction management plan. Whilst we note that Affinity Water removed their objection on 10 April 2025, our stance on the other objections points have not changed as these are not within the remit of Affinity Water. We would refer the applicant to the previous objection letter.

#### 9.5.3 Hertfordshire County Council – Lead Local Flood Authority (12/05/25 – Response 4): [No objection, subject to conditions]

The applicant has provided Technical Note, Drainage Strategy drawings and supporting calculations, as listed in the Annex). These are to account for the local flood risk issues and surface water drainage at this location. Following a review of the submitted documents, the details are in accordance with NPPF and local planning policy Three Rivers SFRA Level 1. We have no objection subject to conditions being attached to any consent if this application is approved. We suggest the following wording.

Condition 1:

Prior to the commencement of the development details of all flood resilient and resistant measures including finished floor levels shall be submitted to and approved in writing by the local Planning Authority. The agreed measures shall then be installed and maintained in perpetuity.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policies of Three Rivers Council.

Condition 2:

Construction shall not begin until a detailed construction phase surface water management plan for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be carried out in accordance with the approved details.

Reason: To ensure that the construction of the site does not result in any flooding both on and off site and that all Surface water Drainage features are adequately protected.

Condition 3:

Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition [LPA to satisfy numbering]. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of Three Rivers Council.

#### 9.6 Hertfordshire County Council – Minerals and Waste (06/01/25): [No objection]

Minerals In relation to minerals, the site falls entirely within the 'Sand and Gravel Belt' as identified in Hertfordshire County Council's adopted 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. British Geological Survey (BGS) data also identifies potential superficial sand/gravel deposits at the application site.

The Minerals Planning Authority identifies the entirety of the Sand and Gravel Belt as a Mineral Consultation Area

Planning applications submitted to the District and Borough Councils for non-minerals development that fall within a Mineral Consultation Area (other than applications which meet the 'excluded development' criteria), may not be determined until the county council has been given the opportunity to comment on whether the proposal would unacceptably sterilise mineral resources.

In accordance with paragraph 225 of the NPPF development proposals in Mineral Safeguarding Areas that might constrain potential future use for mineral working should not normally be permitted.

After reviewing the application, the Minerals Planning Authority does not consider that the proposal would have the potential to unacceptably sterilise mineral resources. It is not necessary to investigate the potential for the prior extraction of mineral resources at this site.

Whilst prior extraction is not necessary, there may still be opportunities to utilise sand and gravel resources that are found during site preparation works, should any deposits be uncovered that are of a suitable quality.

Opportunistic extraction refers to cases where preparation of a site for built development, such as excavating the foundations and footings or landscaping works, may result in suitable material being uncovered that could be extracted and processed for use on site as part of the development.

The Minerals Planning Authority would like to encourage the opportunistic extraction and subsequent use of sand and gravel deposits within developments wherever possible. Opportunistic use of minerals will reduce the need to import sand and gravel to the site and make sustainable use of these valuable resources.

## Waste

Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the County Council's adopted waste Development Plan Documents (DPDs). In particular, these documents seek to promote the sustainable management of waste in the county and encourage Local Planning Authorities to have regard to the potential for minimising waste generated by development.

The National Planning Policy for Waste (October 2014) sets out the following:

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

The supporting documents to this application, specifically the Planning, Economic and Heritage Statement, make no reference to the adopted Waste Core Strategy and Development Management Policies DPD (2012), which is part of the Development Plan for the area. The policies in the adopted DPD that relate to this proposal, and which must be considered by the Local Planning Authority in determining the application, include Policy 1: Strategy for the Provision for Waste Management Facilities (namely the penultimate paragraph of the policy) and Policy 12: Sustainable Design, Construction and Demolition.

Many of the policy requirements can be met through the imposition of planning conditions.

As a general point, built development should have regard to the overall infrastructure required to support it, including where appropriate a sufficient number of waste storage areas that should be integrated accordingly and facilitate the separate storage of recyclable wastes.

As the Waste planning Authority, we are pleased to see that table 8 of the Planning, Economic and Heritage Statement mentions that the applicant is committed to reducing construction waste produced and waste going to landfill.

Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP).

The Waste Planning Authority would expect to see a SWMP prepared to support this application. The SWMP must be prepared and agreed in consultation with the Waste Planning Authority prior to commencement of the project. The SWMP must be implemented throughout the duration of the project, from initial site preparation works to final completion of the construction phase.

By preparing a SWMP prior to commencement, early decisions can be made relating to the management of waste arisings and building supplies made from recycled and secondary materials can be sourced, to help alleviate the demand for primary materials such as virgin sand and gravel. Early planning for waste arisings will help to establish what types of containers/skips are required for the project and when segregation would be best implemented for various waste streams. It will also help in determining the costs of removing waste from the site.

As a minimum, the SWMP should include the following:

Project and People

- Identification of the client
- Identification of the Principal Contractor
- Identification of the person who drafted the SWMP
- Location of the site
- An estimated cost of the project
- Declaration that the client and contractor will comply with the requirements of Duty of care that materials will be handled efficiently and waste managed appropriately (Section 34 of Environmental Protection Act 1990 and Environmental Protection (Duty of Care) Regs 1991)

Estimating Waste

- A description of the types of waste that are expected to arise on site (recorded through the use of 6-digit European Waste Catalogue codes) and an estimated quantity for each of the types (in tonnes)
- Waste management actions for each waste type (i.e., will the waste be re-used or recycled (on-site or off-site?), recovered or disposed of)
- Space for Later Recordings
- Space for the recording of actual figures against the estimated figures
- Space for the recording and identification of those responsible for removing the waste from site and details of the sites they will be taking it to
- Space to record explanations for any deviations from what has been set out in the SWMP, including explanations for differences in actual waste arisings compared to the estimates

As a SWMP has not been produced at the planning application stage, the Waste Planning Authority request the following pre-commencement condition be attached to any approved planning application:

Condition: No development shall take place until a Site Waste Management Plan (SWMP) for the site has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type. The development shall be carried out in accordance with the approved SWMP.

Reason: To promote the sustainable management of waste arisings and contribution towards resource efficiency, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).



The District Council should also be aware of the Water Recycling Site, Maple Lodge Sewage Treatment Works, which is located to the south-east of the proposed development. The Water Recycling Site is safeguarded under Policy 5 of the adopted Waste Core Strategy and Development Management Policies document due to its important contribution to the strategic network of waste management provision in the county.

Adopted Policy 5: Safeguarding of Sites states that the Waste Planning Authority will oppose development proposals which are likely to prevent or prejudice the use of land identified or safeguarded for waste management purposes unless alternative or enhanced provision is made for a facility dealing with the equivalent waste capacity or where it can be demonstrated that the need for those facilities can no longer be justified.

The 'Agent of Change' principle (NPPF Dec 2024, paragraph 200) is clear that planning decisions on new developments should ensure integration with existing business such that they do not have unreasonable restrictions placed upon them.

The document containing the Existing & Proposed Overlay Plan shows that the applicant plans to retain some of the existing trees, in addition to planting additional trees on the boundary of the development that faces Maple Lodge Sewage Treatment Works, which the Waste Planning Authority is pleased to see.

After reviewing the details submitted with the application, the Waste Planning Authority does not consider that the proposal will prevent or prejudice the Water Recycling Site and therefore has no safeguarding concerns.

9.7 Hertfordshire County Council – Water Officer (27/01/25): No objection

We'd like to request a condition for the provision and installation of fire hydrants, at no cost to the county council or fire and rescue services. This is to ensure there are adequate water supplies available for use at all times

9.8 Hertfordshire Constabulary – Designing Out Crime (12/20/25): No objection

Thank you for your email regarding planning application 24/1963/FUL, I agree that the old access road will be a problem ( I have visited many sites like this which are then difficult to deal with retrospectively). If gates are installed at the Maple Lodge Close end of the access track this still leaves a gated alleyway with very little surveillance and who will maintain this, as you say this will be a good fly tipping point.

I think the problem would be at the industrial end of the track.

Would it be possible to extend the wildflower garden and install weldmesh fencing around it ( I note that the inner fencing is acoustic fencing) to cut off the end of the track almost in line with the houses.

Or extend the car parking into the end of the track and wildflower meadow (does the rear of the car park need acoustic fencing? ) instal weldmesh fencing either 1.8 or 2m this will blend in with the landscape but allow surveillance from the car park. I am sure the trees with TPO's can be incorporated into the car park design.

The vegetation should be as low as possible either side of the track. With lighting it can sometimes aid antisocial behaviour especially in a secluded area , I am not sure CCTV would be a deterrent in this case either and someone has to monitor and respond to any unauthorised activity.

9.9 Herts Ecology (17/01/25): Further information required

### Overall Recommendation:

☒ Further information and/or amendments required before application can be determined.

### Summary of Advice:

- Insufficient Information in respect to European Protected Species (bats) to determine this application.
- Nesting Bird Informative.
- Lighting plans are acceptable.
- Ecological Enhancements by Condition.
- CEMP Condition Advised.

### BNG:

- Automatic, mandatory BGP Condition required.
- S106 agreement to secure net gain.
- An additional HMMP Condition Required

### Supporting documents:

I have made use of the following documents in providing this advice:

- Preliminary Ecological Appraisal - Ecology and Land Management (December 2024)
- Bat Emergence Survey – ASW Ecology (October 2024)
- Bat and Biodiversity Enhancement - Ecology and Land Management (November 2024)
- Biodiversity Metric Baseline Report – Ecology and Land Management (September 2024)
- The Statutory Biodiversity Metric - Ecology and Land Management (September 2024)
- Landscape Masterplan – Indigo Landscape Architects (October 2024)
- Landscape Strategy - Indigo Landscape Architects (November 2024)

### General Comments:

There are no ecological objections in-principle to this development. It has been demonstrated that biodiversity losses can be addressed by compensation and enhancement through Biodiversity Net Gain (BNG) on-site. However, there is not yet suitable, and sufficient information in respect to protected species (bats) to inform a licence application and allow determination of this application.

### 1. Protected Species

#### 1.1. Roosting Bats

Out of the seven buildings at the site, of which shall be required to be removed to facilitate the proposal, one building referred to as 'B3' the 'Kier office building' is considered to have high potential for roosting bats. This is because the building has been subject to numerous call outs and retrieval efforts for grounded bats by the Hertfordshire and Middlesex Bat Group (HMBG) from 2016 – 2023. The HMBG's findings have led to 'B3' to be considered as a maternity roost (soprano pipistrelle) over many years due to both juvenile and adult individuals being found during the maternity seasons.

The PEA Report also notes the presence of a Schwegler 1FQ (nursery/colony) bat box on B3's eastern elevation, and the Bat Emergence Survey Report refers to this bat box as a known bat roost. However, Hertfordshire Ecology has confirmed via correspondence with HMBG that 'HMBG are unaware of any bats using the bat box'. As such, there is no information to indicate that bats are roosting in the bat box, particularly as opposed to the wider building.

On balance, it is considered that B3 represents a high conservation roost and will require a European Protected Species Licence (EPSL) to be granted by Natural England. Should any works proceed at B3 without an EPSL, then this would be consistent with the definitions of an offence.

It is noted that two emergence surveys have been carried out thus far, one in August and another in September (2024). However, it has been correctly identified within both reports that the survey effort carried out is not yet sufficient to inform a licence application. This is

because surveys during the bat maternity season and hibernation period have not been covered to fully characterise the roost. It should be noted that further surveys are not required to prove a roost's existence / likely absence – further surveys are needed to characterise the roost, as required to inform the licence application, of which is required for works to be undertaken lawfully at B3.

At present I cannot advise with confidence that there is sufficient evidence/ or likelihood that Natural England will grant a licence for this application. Hertfordshire Ecology are not in a position to advise an LPA that an application should be determined where there is insufficient information in respect of a European Protected Species, and where there is not a reasonable likelihood of a licence being granted. Should the applicant approach Natural England for a formal view on whether they would grant a licence with the survey information collected then they may do so.

Consequently, it is advised that the further survey effort identified within the PEA Report and Bat Emergence Survey Report should be carried out, in accordance with best practice. Such includes carrying out two further emergence/roost characterisation surveys in June and July of the next survey season to determine breeding activity at B3. Recommendations have also been made to ascertain B3's use by bats as a hibernation roost (Vi, page 27). Appropriate survey work should be undertaken by a licensed surveyor by the end of February, and this should be in the form of two visits four weeks apart.

Please note: Given the time of year at which this consultation response will be sent, the applicant is urged to consult their ecologist and arrange this work to avoid further delay and constraint.

The approach to requiring bat surveys and any subsequent recommendations by planning condition is not recognised as acceptable, given it is inconsistent with Government and legal advice. As bats are classified as European Protected Species, sufficient information is required to be submitted to the LPA prior to determination to enable it to consider the impact of the proposal on bats and discharge its legal obligations under the Conservation of Habitats and Species Regulations 2019 (as amended).

Consequently, we advise sufficient bat surveys and subsequent report(s) are completed and submitted to the LPA for approval prior to determination.

### 1.2. Foraging and Commuting Bats

The emergence surveys carried out at the site detected regular and consistent bat activity along the eastern part of the site, which is characterised by an existing treeline and Maple Lodge Farm Ditch. Consequently, lighting impacts at the site should be a consideration.

Upon review of the external lighting scheme (Lighting Assessment, Oct 2024), I find the plans to demonstrate a horizontal plane for the luminaries which is an important characteristic in reducing light glare. The areas of the site which shall pose the best resources for bats post-development will be the eastern and southern habitat creation areas, and I find these areas to have levels of illuminance that will not likely exceed existing levels. Additionally, areas with higher levels of illuminance are shown as remaining to be within existing levels of hardstanding/ parking areas which are likely to already be subject to a degree of illuminance. Consequently, subject to the lighting plans being implemented exactly as shown there are no constraints identified with the lighting plans.

### 1.3. Nesting Birds

All wild birds, their nests, eggs and young are afforded protection and in general terms it would be an offence to kill, injure or displace breeding birds and their young. Whilst the site/buildings are not formally known to support breeding birds, the site is deemed to have potential for nesting birds and their presence cannot be ruled out. To reduce the risk of an

offence being committed a precautionary approach is required and, consequently, I recommend the following Informative is added to any consent granted:

“In order to protect breeding birds, their nests, eggs and young, development should only be carried out during the period October to February inclusive. If this is not possible then a pre-development (i.e. no greater than 48 hours before clearance begins) search of the area should be made by a suitably experienced ecologist. If active nests are found, then works must be delayed until the birds have left the nest or professional ecological advice taken on how best to proceed”.

#### 1.4. Physical Enhancements

The PEA Report and Bat and Biodiversity Enhancement Report describe a number of ecological enhancements to be incorporated into the design scheme, of which are endorsed. However recent research has demonstrated that compliance with the installation of these features is poor. One of the reasons cited is that, as these are integrated structures, they are difficult to retro fit and their inclusion on top-down plans (such as the block plan) or LEMPS means they are too often not considered till the landscaping phase of the development. The latest NPPF states that planning decisions should contribute to and enhance the natural and local environment by, amongst other things, incorporating such features which support priority or threatened species, swifts, bats, and hedgehog. Consequently, should the LPA be minded to grant approval for this application, I advise the following:

Either the existing elevation plans and graphical soft landscaping plans are amended to include the integrated swift bricks, bat boxes, and hedgehog features so they form part of the approved plans / or they are secured by a separate condition (example wording given below).

“Following completion of the development, a statement from an appropriately qualified ecologist confirming that all the proposed features shown on Appendix I – Landscape Proposals Plans (Bat & Biodiversity Enhancement, 2024) have been installed accordingly and accompanied by sufficient photographic evidence shall be submitted to and approved in writing by the LPA.”

#### 2. Maple Lodge Nature Reserve, Local Wildlife Site (88/105) and Habitat of Principal Importance – Stream

It is acknowledged within the PEA Report that the site runs parallel within the 10m wide riparian zone of Maple Lodge Farm Ditch for a total of 88m. The adjacent stream also appears to be a tributary to the River Colne. All rivers, valleys, and streams are of ecological significance due to being natural, continuous, linear natural features with associated habitats which cross and dissect the county. In addition, this stream directly connects the site to Maple Lodge Nature Reserve LWS, 150m from the site boundary. Given this development’s proximity to this stream, and that LWS’s are a material consideration for the LPA, adequate precautionary measures should be secured by Condition of approval and strictly adhered to during the construction phase. The following Condition for a Construction Ecological Management Plan is recommended should the LPA be minded to grant approval.

[recommended wording]

“No development shall take place (including demolition, ground works, vegetation clearance delete as appropriate) until a Construction Environmental Management Plan (CEMP) for Maple Lodge Farm Ditch has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following.

aa\*) A review of any ecological impacts informed by the submitted ecological report (Ecology & Land Management, Dec 2024)

a) Risk assessment of potentially damaging construction activities.

- b) Identification of 'biodiversity protection zones'.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timings of sensitive works to avoid harm to biodiversity features.
- e) Responsible persons and lines of communication.
- f) Details of low impact lighting measures during construction for nocturnal wildlife compliant with Bat Conservation Trust and Institution of Lighting Professionals (2023).

Development shall proceed in accordance with the approved CEMP, unless otherwise agreed in writing by the Local Planning Authority."

### 3. Mandatory Biodiversity Net Gain

A BNG assessment and associated metric has been submitted and these demonstrate both the site's pre- and post-development unit values. It is noted that the habitat surveys were carried out within the optimal survey period, and I have no objections to the habitat classifications for this site given the evidence provided.

Overall, were the LPA minded to grant permission, I find the BNG information submitted to be adequate to allow determination of this application. In addition, it is apparent from the post-development calculations provided that an excess of 10% BNG can be achieved for both habitat area and hedgerow units respectively – I therefore can advise at this stage that the General Biodiversity Gain Condition is highly likely to be met

Given that this application is automatically subject to the General Biodiversity Gain Condition, this requires the delivery of a Biodiversity Gain Plan. It is recommended that the plan provided is in line with the DEFRA Biodiversity Gain Plan template. This condition should be kept separate to the list of conditions imposed in the written notice if the LPA are minded to grant permission. This requires the following:

- An Overall Biodiversity Gain Plan must be submitted to and approved by the planning authority before any development can begin.

A significantly large number of biodiversity units relative to the biodiversity value of the site before development are shown to be able to be achieved for habitat and hedgerow units, and these include habitats of medium distinctiveness. Due to this, the LPA are required to secure this significant net gain via legal agreement whether through an S106 agreement or conservation covenant.

Due to a significant BNG uplift being demonstrated, and this being advised to be secured via legal agreement, if the LPA were minded to grant permission, a Condition of approval (one to be imposed on the written notice with any permission granted) should be added as an additional BNG Condition for a Habitat Management and Monitoring Plan (HMMP). This shall demonstrate how the habitat enhancement and creation, and subsequent target habitat conditions on-site will be created, enhanced, and monitored over 30 years following the completion of the capital works required to create them. It is recommended that the HMMP should be in line with the HMMP template produced by DEFRA. Considerations should also be given within any legal agreement to secure resources to allow adequate monitoring over the 30-year period.

#### 9.9.1 Herts Ecology (05/06/25): No objections

Summary of Advice:

- Sufficient Information in respect to European Protected Species (bats) to determine this application; Bat Licence Informative.
- Nesting Bird Informative.
- Lighting plans are acceptable.
- Ecological Enhancements by Condition.
- CEMP Condition Advised.

BNG:

- Automatic, mandatory BGP Condition required.
- S106 agreement to secure net gain.
- An additional HMMP Condition Required.

Supporting documents:

I have made use of the following documents in providing this advice:

- Preliminary Ecological Appraisal - Ecology and Land Management (December 2024)
- Bat Emergence Survey – ASW Ecology (October 2024)
- Bat and Biodiversity Enhancement - Ecology and Land Management (November 2024)
- Biodiversity Metric Baseline Report – Ecology and Land Management (September 2024)
- The Statutory Biodiversity Metric - Ecology and Land Management (September 2024)
- Landscape Masterplan – Indigo Landscape Architects (October 2024)
- Landscape Strategy - Indigo Landscape Architects (November 2024)
- BAT EMERGENCE SURVEY INTERIM REPORT MAY 2025 & Maple Cross, Rickmansworth WD3 9AR – Bat Survey Statement

#### General Comments:

There remains to be no ecological objections in-principle to this development. There is now suitable, and sufficient information in respect to protected species (bats) to allow determination of this application. All other recommendations remain advised.

### 1. Protected Species

#### 1.1. Roosting Bats

Since Hertfordshire Ecology's previous comments (dated 17 January 2025) which advised the following:

- Two further emergence/roost characterisation surveys within the next survey season (2025) to determine breeding activity within B3 to inform a licence.
- Two survey visits, four weeks apart by the end of February to ascertain B3's use as a hibernation roost.

Two endoscope surveys have now since been undertaken, one in January and one in February 2025 in accordance with previous recommendations. Whilst no individual roosting bats were found, a sufficiently large number of new droppings were detected to confirm use by hibernating bats. Such has sufficiently characterised B3 as a known bat hibernation roost and an European Protected Species Licence will be needed for the loss of this roost.

A further two emergence/ roost characterisation surveys have now been carried out, one pre-parturition (14th May) and one post-parturition (4th June) in line with BCT guidelines (Table 2.2. & 7.2.26). These two surveys collectively detected droppings, general bat activity, and a maternity soprano roost utilising the Schwegler 1FQ bat box on B3; I find that these surveys have been carried out in accordance with best practice, and we find no reason to dispute the findings shown. Given that evidence of a nursery colony of roosting bats has been identified, B3/the Schwegler 1FQ bat box remains to represent a maternity roost site and will require an EPSL issued by Natural England to allow the works to be undertaken lawfully.

These two surveys, in combination with the emergence surveys undertaken within the last survey season are considered to meet the minimum information requirements for the LPA to be able to fully consider the impact of the proposal on bats and discharge its legal

obligations under the Conservation of Habitats and Species Regulations 2019 (as amended). Nonetheless, it has been confirmed that a third and final survey (3rd July) will be carried out. We find that this shall ensure that all of the survey data used to inform the licence will be from the most recent optimal survey season and a broader more optimum coverage of the maternity period will be achieved for the most accurate characterisation of the roost. The building (b3) cannot be demolished, nor the bat box removed or disturbed until a licence informed by all the relevant data is obtained.

Overall, we find that there is now sufficient information in respect to European Protected Species (bats) to determine this application. In the event that this application is approved, we advise that the following licence informative is attached to any permission granted:

“An EPSL from Natural England is required to deliver this development due to the confirmed presence of a maternity and hibernation roost. It will be an offence if works proceed without a bat licence. It will also be an offence if the terms of conditions of the bat licence, including in particular the mitigation and compensation requirements under the licence (which may require certain measures to be delivered before the development works start), are not adhered to.”

#### 9.10 National Highways (20/12/85): No objection

National Highways was appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the strategic road network.

National Highways are interested as to whether there would be any adverse safety implications or material increase in queues and delays on the SRN as a result of the proposed development, in this case on M25 J17 which is approximately one mile from the proposed site access.

We have reviewed all supporting documentation provided with this application, particularly the Transport Assessment (TA) and proposed site plans.

##### Offer No Objection – Reasons

The application site is currently occupied by two large office buildings and a 412-space multi-storey car park. The office buildings are currently vacant, however it is agreed that office use is the current lawful use of the land, and therefore the baseline against which transport impacts should be assessed. Trip generation for the existing office use has been determined by calculating person TRICS trip rates, and then applying 2011 Census mode shares. This is an acceptable methodology and given the large car park on site, we agree with the mode share assumed. A 2029 future baseline has then been calculated by applying TEMPro growth to this result.

Trip generation for the new use of the site has been calculated in the same way, i.e. TRICS person trips split according to 2011 Census mode share. The Industrial Estate TRICS category has been used which we agree is the category most representative of the site. The resulting trip generation has been increased according to TEMPro growth in the same manner as the baseline to determine a 2029 ‘with development’ scenario. This indicates a net decrease in trips across all junctions (including M25 J17) and in both peak hours. This is understandable given that the proposed development has less than a quarter of the existing number of parking spaces.

Whilst the TA has not provided a worst-case assessment of trip generation by assessing the floorspace on the basis of TRICS Parcel Distribution trip rates, we recognise that the small-scale nature of the units, limited loading areas and limited car parking does not lend itself to this type of use. Additionally, the current forecast of a net decrease in vehicle trips means that even were Parcel Distribution to be the ultimate end use, the net trip generation would still be minimal and would not impact the SRN. Therefore, in this specific scenario, we are content that a worst-case assessment of trip generation is not required.

The TA recognises that the change in use from office to industrial will increase the number of HGVs, from none currently to approximately 3 two-way AM trips, though still 0 two-way PM trips. Given the small-scale nature of the units as described above, we agree that this modest HGV trip generation is likely and that it will not adversely impact the SRN.

We are therefore satisfied that the development will not materially affect the safety, reliability and/or operation of the strategic road network (the tests set out in DfT Circular 01/2022, and DLUHC NPPF 2023 paragraphs 115-118) in this location and its vicinity.

Standing advice to the local planning authority

The Climate Change Committee's 2022 Report to Parliament notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 77 and 110 National Highways Planning Response (NHPR 24-02) February 2024 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 109 and 115 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up.

Moreover, the build clever and build efficiently criteria as set out in clause 6.1.4 of PAS2080 promote the use of low carbon materials and products, innovative design solutions and construction methods to minimise resource consumption.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.

#### 9.11 National Grid (16/12/24): [No objection]

We have received a notification from the LinesearchbeforeUdig (LSBUD) platform regarding a planning application that has been submitted which is in close proximity to our medium and low pressure assets. We have no objection to this proposal from a planning perspective, however we need you to take the following action.

What you need to do

To prevent damage to our assets or interference with our rights, please add the following Informative Note into the Decision Notice:

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](https://cadentgas.com/diversions)

Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](https://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.



9.12 Natural England (24/12/24): No objection

**NO OBJECTION**

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

**Sites of Special Scientific Interest**

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

**Landscape Advice**

The proposed development is for a site within or close to a nationally designated landscape namely Chilterns National Landscape (defined in legislation as an Area of Outstanding Natural Beauty).

Natural England has concluded that impacts on the nationally designated landscape and the delivery of its statutory purpose to conserve and enhance the area's natural beauty can be determined locally by the local planning authority, with advice from its landscape or planning officers, and from the relevant National Landscape Partnership or Conservation Board.

Natural England is not confirming that there would not be a significant adverse effect on landscape or visual resources or on the statutory purpose of the area, only that there are no landscape issues which, based on the information received, necessitate Natural England's involvement.

We advise that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below. Your decision should be guided by paragraph 182 and 183 of the National Planning Policy Framework, which requires great weight to be given to conserving and enhancing landscape and scenic beauty within National Landscapes, National Parks, and the Broads and states that the scale and extent of development within all these areas should be limited. Paragraph 183 requires exceptional circumstances to be demonstrated to justify major development within a designated landscape and sets out criteria which should be applied in considering this proposal.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant National Landscape Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the area's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the National Landscape is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose.

Furthermore, Section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act 2023 places a duty on relevant authorities (which includes local authorities) in exercising or performing any functions in relation to, or so as to affect, land in a National Park, the Broads or an Area of Outstanding Natural Beauty in England, to seek to further the statutory

purposes of the area. This duty also applies to proposals outside the designated area but impacting on its natural beauty.

The relevant National Landscape body (Conservation Board or Partnership) may be able to offer advice in relation to the duty, including on how the proposed development aligns with and contributes to delivering the aims and objectives of the area's statutory management plan.

9.13 TRDC – Conservation Officer (17/01/25): No objection

This application is for: Construction of warehouse units accessed from Denham Way (Use Classes E(g)(iii), B2 and B8) including access and servicing arrangements, car parking, landscaping and associated works.

The application site contains Maple Cross House the larger building to the west/front of the site on Denham Way with two smaller buildings leased by Kier on the eastern side of the site. All are three storeys in height. They are located within an established employment area. There are no designated or non-designated heritage assets within the application site and the site is not located within a Conservation Area.

The designated heritage assets which have the potential to be impacted by the proposal are as follows:

- Barn to West of Maple Lodge Adjoining Maple Close (List Entry: 1100856) - Grade II listed building former farmhouse with seventeenth century elements.
- Maple Lodge (List Entry: 1173687) - Grade II listed building former agricultural building that is now in residential use.

Maple Lodge and Barn are located approximately 130 metres to the south of the application site, surrounded by more modern development on Maple Lodge Close and Longmore Close.

- Building Immediately Northwest of Woodoaks Farmhouse (List Entry: 1100877)- Grade II listed Former small house or part of a larger farmhouse, now a storage building dating from sixteenth century.
- Barn about 100 Metres North of Woodoaks Farmhouse (List Entry: 1100878)- Grade II listed substantial timber-framed structure, probably dating from the sixteenth or seventeenth century.

Woodoaks Farm is located approximately 400m to the north-west of the application site and is accessed via a narrow private drive on the opposite side of Denham Way, leading to the farm and surrounding group of former agricultural curtilage buildings.

Three Rivers District Council holds a list of 'Locally Important Buildings' for Rickmansworth. Criteria for inclusion include architectural and historical interest, function, landmark /streetscape/landscape quality. Nearby locally important buildings which have the potential to be impacted by the proposal include:

- The Cross Public House, a well-preserved seventeenth century half-timbered building.
- Woodoaks Farmhouse, close to the Grade II listed buildings at Woodoaks Farm.
- Hyde House, Old Uxbridge Road, an attractive brick building to the south of the application site.

There are also several Grade II Listed Buildings to the south around the perimeter of Lynsters Lake and separately to the north around Stockers Lake and on Uxbridge Road, which are unlikely to be impact by development at the application site.

The application site is within the wider setting of these nationally and locally listed buildings. The existing modern office buildings on the application site do not positively contribute to setting of the heritage assets highlighted above, and so the redevelopment of the site is acceptable in principle in heritage terms.

The proposed development consists of 6no. industrial units:

- Units 1-4 in the central part of the application site, eaves height: 9.1m/ ridge height of 11.3m. The existing full height at Maple Cross House is 11.6m.
- Units 5-6 are proposed to be positioned at the eastern part of the application site, eaves height: 9.1m, /ridge height of Unit 5 10.75m, full height of Unit 6 11.3m. The existing full height at the Kier buildings is 12m.

The siting would be altered, with Unit 6 sitting closer to the southeastern boundary in comparison to the existing smaller of the two Keir buildings. Extensive planting is also proposed at the southern boundary.

The heritage assets most likely to receive increased impact are the respectively Grade II listed Maple Lodge and Barn to West of Maple Lodge Adjoining Maple Close. However, while the footprint of the proposal would be closer to these listed buildings, the significance of their immediate setting has been heavily eroded by modern residential and industrial development. There is limited intervisibility between the listed buildings and the proposed development and the scale and type of development proposed is very similar to the existing on site. As a result, subject to appropriate materials there would be an acceptable impact on the setting of these Grade II listed buildings.

Due to the distance and separation from Woodoaks Farm and the relatively similar scale and nature of the proposal, the impact on the Grade II listed buildings there would be acceptable. In addition, any impacts on other nationally or locally listed buildings would not be to an extent that would be considered harmful.

On this basis, subject to appropriate materials, the proposal would be acceptable in accordance with Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework Chapter 16.

9.14 TRDC – Environmental Health (Commercial)(16/01/25): No objections, conditions recommended

#### Air Quality

I have reviewed the Air Quality Assessment prepared by Tetra Tech (Report ref. 784-B068895).

The assessment of construction phase impacts indicates that without the implementation of appropriate mitigation measures, the potential impact of dust emissions associated with the construction phase of the proposed development is 'high risk' at the worst affected receptors without mitigation. It is anticipated that with the implementation of measures, the risk of adverse effects due to dust emissions will not be significant.

The assessment of operational phase impacts indicates that concentrations of NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> will be below the relevant AQOs at all modelled receptors. The impact of the effects of changes in traffic flow as a result of the proposed development, with respect to NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>, has been determined to be negligible at all existing receptors.

I would recommend that a condition requiring the submission of a dust management plan be applied to any permission granted. The Dust Management Plan should incorporate the mitigation measures presented in Section 7.1 of the Air Quality Assessment.

#### Land Contamination

I have reviewed the following reports prepared by HDR Consulting:

Geo-environmental Desk Study (Report ref. 10399283-HDR-XX-XX-RP-GE-14-0xxx-S0-P01.01.docx, April 2024); Ground Investigation Interpretive Report (Report ref. 10399283-HDR-XX-XX-RP-GE-14-0xxx-S0-P01.01.docx, Oct 2024).

The investigation has not identified any concentrations of contaminants of concern in the underlying soils in exceedance of the relevant generic assessment criteria. Laboratory testing identified asbestos (chrysotile – loose fibres) in a single sample, quantification testing showed that the sample contained <0.001% w/w asbestos fibres. The Environmental Consultant has suggested that an allowance should be made for hand picking, where feasible, of asbestos containing materials from soils.

Monitoring of ground gases was undertaken on four occasions, a maximum CH<sub>4</sub> concentration of 1.2% and a maximum CO<sub>2</sub> concentration of 4.5% was recorded, a maximum gas flow rate of 1.2 l/hr was recorded. The resulting calculations indicate characteristic situation 1. No ground gas protection measures are considered necessary.

Groundwater sampling identified elevated concentrations of TPHs and phenols in all of the groundwater samples that were analysed. The Environmental Consultant has suggested that remediation including the removal of soils is likely to be required.

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

1. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

i) An options appraisal and remediation strategy, based on the site investigation results and the detailed risk assessment (reported in the Ground Investigation Interpretive Report prepared by HDR Consulting Report ref. 10399283-HDR-XX-XX-RP-GE-14-0xxx-S0-P01.01.docx, Oct 2024), giving full details of the remediation measures required and how they are to be undertaken.

ii) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (i) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

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.

2. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

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.

The above must be undertaken in accordance with the Environment Agency's 'Land contamination risk management (LCRM)' guidance, available online at <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>.

3. 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.

9.15 TRDC – Environmental Health (Residential)(27/02/25): Insufficient information

Overall, I consider the information provided to be inadequate and recommend refusal.

I identified the following potential noise impacts.

- Demolition noise – I understand that this has been dealt with as part of a separate application and so I will not comment on this.
- Construction noise.
- Operational noise.
  - Deliveries and collections ranging from goods to waste.
  - Vehicle movements within the car park.
  - Plant noise.
- Noise breakout from within the building fabric.

With the exception of refuse collection, the acoustic report has considered these issues and attempted to quantify and assess against relevant national standards. However, modelling software has been used instead of traditional calculations and so this hinders our ability to fully scrutinise the predictions and draw our own conclusions. Whilst modelling software provides useful illustrations and data, there are potential inaccuracies that can arise as discussed in the following publication on page 46 and it is for this reason at Watford we do not accept modelling software derived data on its own.  
[https://www.ioa.org.uk/system/files/publications/acoustics\\_bulletin\\_march-april\\_2023.pdf](https://www.ioa.org.uk/system/files/publications/acoustics_bulletin_march-april_2023.pdf)

As a site that intends to be in operation 24 hours a day and with the nearest noise receptor being as close as 3 metres, I share the concerns of neighbouring residential occupiers.

Construction Noise.

This is going to be noisy by its very nature and owing to the amount of time that will be needed to complete the construction of the new buildings, I consider it essential that for any future application a condition requiring a Construction Management Plan needing Environmental Health approval to be in situ prior the start of construction.

Operational noise – Deliveries and collections.

From experience, this has the potential to have the greatest impact on residents particularly during the night period, and even more so owing to the limited distance to residential receptors. Within the report, the predicted number of vehicles has been provided but there is no mention on how representative these figures are likely to be. I am concerned that allowing the application without adequate controls in place, for example, time restrictions on the collections and deliveries to the site could lead to significant adverse impact to neighbouring residential properties. Unfortunately, the controls specified within the report are quite limited – screening provided by buildings along with a 6 metre high acoustic

barrier. Again no calculations for the barrier have been given and only figures from the modelling software have been provided. I am not able to scrutinise these and therefore, unable to comment on their effectiveness.

#### Operational noise – Vehicle movements within the car park.

From experience, when dealing with noise complaints associated with these types of locations, unless there is a mass exodus or influx between 23.00 and 07.00, car movements within the car park are likely to be negligible and so I do not have any solid ground to challenge this aspect of the application.

#### Operational noise – Plant.

I have used the information provided to calculate noise levels at the nearest residential receptors and with the exception of the plant that will serve Unit 6, the proposal is acceptable, particularly when the additional mitigation provided by the building fabric is also taken into consideration. However, there will also be a piece of equipment to the northwest on Unit 5. There is mention of this being enclosed with a barrier but no calculations have been provided. Once again for any future application we will require calculations for both of these to protect the amenity of properties in close proximity.

#### Operational noise – Breakout.

Owing to the proposed use being limited to warehouse operations, and considering the sound reduction index, this is acceptable. However, a condition on any future application requiring all doors and windows to be kept closed when the warehouse is in operation with the exception of immediate ingress or egress of people or goods will be beneficial.

#### Summary and next steps.

At present, although it is highly likely that noise from this activity between 07.00 to 23.00 will be acceptable, there is inadequate information to support this assumption and therefore, I am only able to recommend refusal.

The following details are required.

- Theoretical calculations not derived from modelling software.
- Further information on how the loading and unloading of vans and heavy goods vehicles will take place and the noise impact from this activity, for example, possible fork-lift use.
- Where this activity will this actually happen – in a loading bay and or car park area?
- Sound levels of reversing alarms.

I assume that once this data has been provided it is likely that a time restriction on deliveries and collections between 23.00 and 07.00 will be needed.

Furthermore, we require theoretical calculations on the plant serving Unit 6 and the barrier calculations for the plant to the northwest of Unit 5. If necessary, mitigation controls will also need to be specified and supported with calculations.

A Construction Management Plan will also be required.

### 9.15.1 Environmental Health Officer (Residential – Second response – 10/06/25)

To ensure I was robust in my review, I considered many of the supporting documents including the concerns of local residents.

This is not my first evaluation of this application and the acoustic consultant acting on behalf of the applicant provided further information in an attempt to alleviate the concerns I had previously set out. These concerns were predominately associated with the operational phase for deliveries and collections to Units 5 and Unit 6.

#### Delivery and collection noise.

Despite meeting with the acoustic consultants and setting out my concerns along with the information we needed to determine the suitability of the proposal, the revised information that has been provided still falls short of what is required and there is too much uncertainty with the predicted levels that prohibits us from assessing the application accurately.

Regarding Units 1-4, their layout, orientation and distance from the receptors along with the mitigation provided by the fabric of the building, ought to enable 24 hours a day operation without causing a significant adverse impact. This aspect of the application is acceptable.

However, Unit 5 and Unit 6 does raise some potential concern. This is owing to their orientation and close proximity to residential receptors. The report identifies these as R01/ Longmore Close at 7 metres and R02/ Franklins at 3 metres. The following comments are in relation to these units.

Within my E-Mail dated Monday, 12<sup>th</sup> May 2025, I requested the following.

- Describe the route that will be taken by heavy goods vehicles as they park into and leave the loading bays for Unit 5 and Unit 6. Please include the time each aspect will take and mention if the area surrounding each bay has been designed to facilitate a smooth arrival/ departure, for example, allowing vehicles to carry out the manoeuvre without having to reverse and go forward repeatedly.
- What is the impact from reversing alarms. Please provide calculations on how effective the barrier will be at mitigating this impact on the nearby residential properties.
- What will be sound level at the nearby residential receptors when the loading bay gates are open and closed?
- What type will they be – a shutter type or hinged openings?
- What will be the sound level from shutters being opened and closed on heavy good vehicles fitted with that type of access?
- Will the loading bay area openings be kept closed at all other times apart from when a delivery is made? What will be the noise break-out be when the openings are open? Please also comment on the use of wheeled cages and other similar equipment that could be used. If there is an internal solid concrete floor in the loading area, what will be the sound level from wheel and ground interaction? What will be the noise break-out through the opening?
- Will deliveries be restricted to the loading bays? Assuming vans might not be as the bays are not likely to be designed for that type of vehicle and given the predicted time of heavy goods vehicle deliveries, it is possible that bays might not be free for vans. If deliveries/ collections are not in the bays, where else could this activity take place and what is the predicted sound pressure level? Please encompass all aspects, for example, use of fork lift trucks, cages, pallets and so on.
- What will be the sound level associated with the use of fork-lift trucks? There is no mention of this within the current report.

This information was not fully provided and instead section 4.2.2 of the report states,

“Noise of a delivery event has been known to vary from site to site by as much as 22 dB LAeq at 5m distance even with the same vehicle type. Similarly, individual events using the same vehicle and at the same location have been recorded to vary by as much as 14 dB. As such, the following worst-case calculations have been based on measurements of HGVs delivering goods. All measurements were undertaken in free-field conditions 3m away from the noise source. The measurement includes noise from the unloading process together with other sources such as trolleys and reversing beepers.”

This information did not assist for a number of reasons. There is mention of the parameter, LAeq which is the 'A'-weighted Equivalent Continuous Noise Level and within Appendix A of the report this parameter is described as,

“Since almost all sounds vary or fluctuate with time it is helpful, instead of having an instantaneous value to describe the noise event, to have an average of the total acoustic energy experienced over its duration.”

In other words it is a time referenced parameter and without giving a time value it is of limited use as it is impossible to know the length of time over which the measurement was obtained. Therefore, a longer period could lead to loud impulsive noise being averaged to the extent where it could fail to accurately reflect its potential impact.

This parameter is more suited to measuring steady, continuous noise sources for the purpose of this assessment.

The report states that all the activities that form part of a delivery were incorporated into a single measurement even though I had requested a breakdown of each component so that I was better able to assess the scheme. Additionally, there is no time reference provided and as mentioned previously, this affects the reliability of this data. I am concerned that this has diminished the likely impact of impulsive noise sources that are a component of delivery noise. Providing the LAmax, which is the highest sound level measured would have been appropriate as it would have allowed us to know how loud each activity is likely to be. A limit set in the report for the Lowest Observed Adverse Effect Level is an LAmax at 45dB(A), it would have assisted greatly if this assessment had been provided for each component of the delivery.

I know from experience that when it comes to delivery noise, the components I had requested details on can often lead to complaints – cages/ trolleys, reverse alarms, opening and shutting of roller shutters and this was the rationale for requesting these specific details. Instead, I do not know what activities were measured to arrive at the figure given in section 4.2.2 of the report.

It is essential that the LAmax of each component is considered to fully gauge the likely impact and compare against the self-imposed limit of 45dB(A). Therefore, I am wary of utilising the LAeq figure mentioned within the report to determine suitability.

The technical note on this issue also caused confusion. The photograph within the report shows a delivery taking place.





I had assumed that what was shown in the elevation drawings and plans was a delivery dock thereby negating the need to have any delivery activity outdoors. This is not what is shown in the photograph. The report in section 3.1 proposes a condition prohibiting the use of fork-lifts externally. Furthermore, the drawings showing the proposed units have the shutters drawn and there are no drawings with the shutters in an open position. It has not been possible to obtain absolute clarity on whether what is shown on the drawings will be a loading dock or a loading bay. If not a loading dock, it will be necessary to utilise fork-lift trucks externally thereby invalidating the control put forward in the report.

I do not know how many different deliveries or collections were monitored. If they were similar to those shown in the above photograph, it is likely that cages/ trolleys were not used at all. Also unloading can differ to loading. Trolleys/ cages can create more noise when empty.

Again by only providing the LAeq, the LMax has not been fully considered and I question how it is possible to determine that the self-imposed limit of 45dB(A) will not be exceeded.

The report states, "The architects (Ian C King Architects) have confirmed that the site layout and orientation of the units has been designed to optimise the use of the units whilst mitigating any resulting noise with acoustic fencing" (page 20).

Therefore, the proposed acoustic fencing/ barrier is key to ensuring that residents at R02 and R03 are protected against any significant adverse impacts associated with noise.

As the barrier is a key feature I would expect there to be sufficient details on its design, for example, elevation drawings and so on. This information is lacking. The acoustic report includes a plan showing the location of the barrier and on the planning portal there is a picture showing what a section of this would look like - a wooden style fence from ground level to what I assume is the height mentioned within the report, 6 metres. However, we have only recently been informed that there will be an earth bund and the barrier would sit on top of that to a height of 6 metres.

I have repeatedly asked for theoretical calculations but again these have not been provided. With regards to the acoustic barrier we require Maekawa calculations to be provided. I am not able to scrutinise the modelling predictions.

Whilst the receptor will be static, the source will not and it seems there has been no consideration of this. Had my request to consider each component on its own merit been

fulfilled I am confident that I would have had the information needed to assess the suitability of the scheme.

For example, upon arrival a heavy goods vehicle is likely to drive up to the barrier approximately 30 metres from the nearest facade before reversing (with alarm sounding). This is likely to happen throughout the night at least once an hour and if not effectively mitigated, it could be loud enough to wake up residents. There is no data to assess this likely impact. It is necessary to know how loud the engine of a heavy goods vehicle will be at this distance and the mitigation that the barrier will provide. This manoeuvre could bring a noisy source approximately 30 metres from the bedroom windows of nearby residents, not to mention the reversing alarm which tends to be louder to overcome the noise of the engine.

With any barrier, there will be sound that passes through it or diffracts around it. Furthermore, with the sound source moving, the level of attenuation will also vary. Assuming there is no sound passing through the barrier, being close to it, will offer greater protection whilst being further away from will reduce (theta). Therefore, what will be the level at the receptor as sources are further away from the barrier?

Instead, we are being asked to rely on the single LAeq measurement where all the sound noise sources have been added together and then averaged out. Not to mention the lack of a time reference.

Additionally, there does not seem to have been any consideration of directivity associated with the noise sources. Using the lorry as an example, if a measurement was obtained as shown in the photograph rather than directly in front it is likely that an accurate noise level has not been obtained. This is because the frequencies that make up the overall sound are not all going to be omnidirectional. If a person stands in front of a stationary lorry, the noise level will differ if they moved to the rear.

Table 4.7 gives the distance from the boundary to the nearest noise sensitive façade. It would have assisted greatly if distances from the location of the noise source to the façade were provided. Instead I attempted to obtain these using the data that was available.





The approximate distance from the nearest loading area to the nearest noise sensitive façade is a distance of approximately, 40 metres, which would provide approximately 32dB attenuation. The L<sub>Amax</sub> given for a heavy goods vehicle was 73dB at 3 metres, assuming there was no barrier from 3 metres to 40 metres there would only be a 22dB reduction giving a level approximately 51dB which is above the limit set out in the report. Therefore, it is imperative that the level of attenuation offered by the acoustic barrier is clearly set out.

When assessing noise in accordance with British Standard BS4142, where noise has a tonal and/ or impulsive component, it is necessary to apply a correction which can add up to +6dB for tonality and up to +9dB for impulsivity. The report in section 6.2.1 only seems to have applied a correction of +2dB overall but it not evident if this correction is sufficient, a diesel engine on a lorry for example, can be quite tonal and shutting and opening of gates can be impulsive.

The report states, “For the purposes of the modelling, this noise source has been assumed to be operating simultaneously at Units 4, 5 and 6 throughout the day and at Unit 4 in the night with the following percentage on times”. Therefore, has the night time noise from Unit 5 and Unit 6 not been incorporated into the assessment and does the figure in Table 6.2 for location R02 not include noise from Unit 5 and Unit 6?

Apart from the noise of the heavy goods vehicle and van, there does not seem to be an L<sub>Amax</sub> figure given for any other component of the delivery noise and only car doors opening and closing in the car park. Therefore, the report does not demonstrate how the self-imposed limit of 45dB(A) is achievable. Even the contour map shown in Figure 6.1 is for the L<sub>Aeq</sub>(16 hours) and not the L<sub>Amax</sub>.

An operation management plan has been put forward as an additional control for this application. I am wary of utilising this approach to achieve the best outcome. It is also an



indicator that the orientation of Unit 5 and Unit 6 to residential receptors is not the most ideal design with regards to noise control.

However, in an attempt to be pragmatic and given that the nearest façade will be approximately 40 metres from the source and there will be a barrier in situ which ought to provide around 10dB attenuation, when combined with distance, ought to equate to an approximate reduction of 40dB and based upon the existing daytime background noise level, deliveries and collections could operate during the daytime and evening without leading to a significant adverse impact. The daytime background noise levels at LT2 are likely to be similar at R02 and R03, and so the potential impacts associated with deliveries and collections are likely to be reduced. Furthermore, as people are generally awake, although the noise will be audible the impacts are likely to be less compared to the night time period.

In the future a further application could be submitted to extend the opening hours if it could be adequately demonstrated that the self-imposed L<sub>Amax</sub> limit was achievable. I have suggested the following conditions which I hope will alleviate the concerns of residents whilst allowing the proposal to proceed.

#### Plant noise.

As per my initial E-Mail, regarding the plant serving Unit 5 and Unit 6, there is still inadequate information provided. I am therefore unable to determine the likely impact upon residential receptors from these sources. Theoretical predictions must be provided.

#### Next steps.

Going forward, the application could be acceptable if the following conditions were applied.

- Deliveries and collections to Unit 5 and Unit 6 shall only be permitted 07.00 to 23.00 on weekdays, 08.00 to 23.00 on Saturdays, 09.00 to 22.00 on bank holidays and Sundays.
- No tonal reversing alarms shall be used on site, and smart broadband / white noise reversing alarms shall only be permitted.
- Engines to be switched off when vehicle is waiting, not in use, or parked.
- Roller shutter doors (loading gates) shall be kept closed when not in use.
- Plant serving Unit 5 and Unit 6 shall not be used until calculations have been provided demonstrating that they can operate without exceeding the relevant representative background noise level specified within the accompanying acoustic report.
- A construction management plan must be approved by the Council prior to the commencement of construction works.

It is important to note that if planning permission were granted in full to the whole site permitting 24 hour use, if there were future noise complaints, the legislation we would utilise to try and rectify the situation would be the Environmental Protection Act 1990. However, there is a defence of best practicable means given to businesses within the act and this can hinder efforts to eliminate noise, particularly when the business is implementing best practicable means. It is for this reason that utilising the planning regime to strike the right balance between the needs of business and residents is vital. Over the years, our team has had to deal with noise complaints from similar set ups and not only do they take up a lot of Council resources to deal with but they often lead to residents having to endure noise whilst prohibiting the business from operating in a way that best suits them. In those types of circumstances, as a last resort we try and agree an operation management plan.

9.16 TRDC – Tree and Landscape Officer (06/02/25): No objections

Recommend: Approval, subject to conditions

The submitted plans indicate that approx. 26 trees would need to be removed to facilitate development. However, of these only 6 are of moderate quality, with the remaining graded as poor quality, including T2 (Magnolia) that is protected by Tree Preservation Order (TPO570).

The submitted landscape plans provide details of extensive replacement tree, hedge and shrub planting that would take place following development and are sufficient to mitigate the loss of trees proposed. Conditions should be applied that require the tree protection method statement to be followed during construction, and that the landscape plans are implemented in full.

9.16.1 TRDC – Tree and Landscape Officer (12/05/25): No objections

The plans generally look pretty good. One of the key aspects would be, is there enough space for the trees to develop to size where they would provide effective screening. It appears that on the southern boundary, the building is approx. 10 metres from the boundary, which should provide just about enough space for the trees to develop before they are getting too close to the building, or neighbouring properties, and have to be cut back.

There appears to be a mix of standard trees, which will give some immediate landscape impact, but are slow to establish. And bare whips, which whilst small at first, will establish quickly and will catch up with the standards over the first ten years and may well overtake them.

The other important consideration will be ensuring that the ground preparation, planting, and establishment maintenance (particularly watering), is carried according to the Landscape strategy. As the standards proposed appear to be root-balled and bareroot, they will need to be planted in well prepared ground and well-watered for at least three years after planting to ensure they survive.

9.17 TRDC – Local Plans Team (First response, 08/01/25): Comments received

Representation: The proposal relates to the construction of warehouse units accessed from Denham Way (Use Classes E(g)(iii), B2 and B8) including access and servicing arrangements, car parking, landscaping and associated works. The proposed development consists of 6no. industrial units in Class E(g)(iii), B2 and B8, with a total floorspace of 7,540 square metres (gross internal area). The submitted Planning, Economic and Heritage Statement sets out that a prior approval for demolition application (ref. 24/1334/PDND) was submitted for the demolition of all existing buildings on the site. This application was determined, and prior approval was not required.

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 site is located in the Maple Cross/Maple Lodge 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 approximately 40,000 sqm of industrial and warehousing floorspace over the period to 2036. The application supporting documents specify the gross internal area of the proposed units totals 7,540sqm, which would contribute to the industrial and warehousing floorspace needs.

Given the Permitted Development Notice of Demolition, in reality, the proposal would result in a net loss of employment floorspace (approximately 10,754sqm) at the Maple Cross/Maple Lodge employment area, although it must be noted that the demolition of the buildings is not being assessed under this planning application. 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.

9.17.1 TRDC – Local Plans Team (Second response, 06/02/25): Comments received

Representation: The proposal relates to the construction of warehouse units accessed from Denham Way (Use Classes E(g)(iii), B2 and B8) including access and servicing arrangements, car parking, landscaping and associated works. The proposed development consists of 6no. industrial units in Class E(g)(iii), B2 and B8, with a total floorspace of 7,540 square metres (gross internal area). The submitted Planning, Economic and Heritage Statement sets out that a prior approval for demolition application (ref. 24/1334/PDND) was submitted for the demolition of all existing buildings on the site. This application was determined, and prior approval was not required.

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 site is located in the Maple Cross/Maple Lodge 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 (2024) sets out that demand for industrial and storage & distribution space in South West Hertfordshire is strong, driven mainly by demand for large scale storage & distribution space which increased during the pandemic. The study identifies a need for 413,400 sqm of storage & distribution space between 2021 and 2041. After taking account of the existing employment land supply, the study considered two employment land scenarios. In Scenario 1, there is no need to identify additional employment sites over the 2021-41 period. In Scenario 2 (which is the preferred option),

there is a shortfall of 9.5 hectares across South West Hertfordshire. The application supporting documents specify the gross internal area of the proposed units totals 7,540sqm, which would positively contribute to the industrial and warehousing floorspace needs.

In terms of office space, the South-West Herts Economic Study Update (2024) found that as of July 2023 there was 162,000 sqm of available office space in south-west Hertfordshire, of which 124,000sqm was identified as vacant. However, the economic study specifically refers to Three Rivers as having different market conditions in terms of office space, concluding that the authority “should prioritise the protection of office space as far as possible”.

Given the Permitted Development Notice of Demolition, in reality, the proposal would result in a net loss of employment floorspace (approximately 10,754sqm) at the Maple Cross/Maple Lodge employment area, although it must be noted that the demolition of the buildings is not being assessed under this planning application. 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.

#### 9.18 Thames Water (19/12/24): No objection

##### Waste Comments

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn’t materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don’t surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn’t materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don’t surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

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

The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

##### Water Comments

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

The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <https://www.gov.uk/government/publications/groundwater-protection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.