

PLANNING COMMITTEE – Wednesday 27 May 2026

26/0122/FUL – Alterations to elevations of existing car park building to enclose upper floor for commercial use (Class E), including brickwork and windows; associated works including new ramp and staircase; and landscaping alterations at TRINITY COURT, CHURCH STREET, RICKMANSWORTH, HERTFORDSHIRE, WD3 1RT

Parish: Batchworth Community Council
Expiry of Statutory Period: 26.03.2026
Extension of time: Agreed to 29.05.2026

Ward: Rickmansworth Town
Case Officer: Tom Norris

Recommendation: That Planning Permission be granted, subject to conditions.

Reason for consideration by the Committee: Called in by Batchworth Community Council unless Officers are minded to refuse due to parking concerns.

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=T9ITFHQFJQE00>

1. Relevant Planning History

- 1.1 25/1509/FUL - Alterations to elevations of existing car park building to enclose upper floor, including brickwork and windows; associated works including new ramp and staircase; and landscaping alterations. - 07.11.2025 – **Refused**

R1 The proposed development would result in a shortfall of car parking within the application site and would therefore have an unacceptable parking impact within and adjacent to the application site by causing undue pressure to park informally within the site and on the surrounding highway network to the detriment of highway safety. The proposed development is contrary to Policy CP10 of the Core Strategy (adopted October 2011), Policy DM13 and Appendix 5 of the Development Management Policies document (adopted July 2013), Policy BW CO7 of the Batchworth Neighbourhood Plan (2025) and the NPPF (2024).

- 1.2 24/1265/PDM - Prior notification: Change of use from commercial, business and service (Use Class E) to 38 residential units (Use Class C3). - 29.10.2024 – **Permitted, Not Implemented** (Application relates to use of main Office Building, with use of car parking building not changed)
- 1.3 04/0193/ADV - Advert Consent: Marketing sign - 27.04.2004 – Permitted
- 1.4 8/27A/90 - Retention of floodlit advertisement board - 17.05.1991 – Permitted
- 1.5 8/11A/89 - Erection of floodlight advertisement board - 14.04.1989
- 1.6 8/155/89 - Occupation of building in non-compliance with condition 9 of planning permission 8/413/88 dated 17/11/88 - 06.04.1989 – Refused
- 1.7 8/413/88 - Redevelopment of existing chemical works to provide a new building for business use Class B1), two storey car park, landscaping and external works - 17.11.1988 – Permitted & Implemented

2. Site Description

- 2.1 The application site is located on the western side of Church Street (A404), Rickmansworth. The site contains a three-storey building, in business use, and associated car parking,

including a two-storey covered car park located to the front (east) of the site. This application relates solely to the car park building.

- 2.2 The site contains a vehicular access off Church Street (A404). The site is on an island, bound to its northern, southern and western boundaries by a watercourse where the River Colne and the River Chess meet, and the Grand Union Canal. Surrounding land uses include a waste depot, public house, supermarket, and residential dwellings beyond the river to the south. Beyond the river to the north is a recycling centre, and Rickmansworth Aquadrome, an area of public open space. Rickmansworth town centre is further to the north. The site is outside of Rickmansworth Controlled Parking Zones.

3. Proposed Development

- 3.1 The application seeks planning permission for alterations to elevations of existing car park building to enclose upper floor, including brickwork and windows; associated works including new ramp and staircase; and landscaping alterations.
- 3.2 It is proposed that the open sided elevations to the upper floor of the existing car park building are enclosed with a brick finish. It is also proposed that windows and balustraded full height windows are installed to the upper level of the building. It is proposed that associated works are carried out including a new ramped and staircase pedestrian access to the upper floor level. The lower level of the car park would remain as existing, in its current use as a car park.
- 3.3 It is proposed that the internal area of the upper floor, which is currently used as a car park, is converted to a "Class E" use, following the enclosure of the external walls, as described above.
- 3.4 It is proposed that an area adjacent to the building, which is currently paved, is landscaped and this is labelled on the drawings as 'communal garden'.
- 3.5 This application follows a previously refused application (25/1509/FUL) for the same description of works. This earlier application was refused on the basis that it was not satisfactorily demonstrated that the development would not result in a shortfall of parking provision, giving rise to parking informally within or around the site. This application is accompanied by a Transport Assessment and further information, including clarification on the exact number of parking spaces, floorspace contained in the existing office building, and proposals for additional car parking spaces across the site.

4. Consultee Responses

- 4.1 Batchworth Community Council: [Objection]

BCC is concerned that the resulting car parking spaces will continue to be insufficient for the additional tenants. BCC seeks further clarification on the number of car parking spaces as the plans show conflicting numbers. The application refers to a transport statement which has not been appended to the application.

BCC would like to call this into committee unless officers are minded to refuse.

- 4.2 National Grid (Gas): No response received.

5. Neighbour Consultation

- 5.1 Site/Press Notice:

- Site notice posted 03.02.2026, expired 24.02.2026.

- Press notice not required.

5.2 No. consulted: 44

5.3 Number of responses received: 1 (Objection)

5.4 Summary of responses:

- Objection to change in appearance of car park building
- Proposal is fundamental change from use as a car park
- Application 24/1265/PDM was approved on basis of car parking provision.
- Reduction to car parking, creating a shortfall

5.5 **Officer comment:** Officers acknowledge that a separate permission 24/1265/PDM was permitted on the basis that the car park, subject of this application, was retained in this use. Officers note that this permission has not been implemented. The acceptability of this current application is assessed on its own merit. If any further permission is granted, the applicant will be reminded that multiple permissions cannot be implemented, particularly if the reasons that they were found acceptable conflict with one another.

5.6 All other material planning considerations are addressed in this report.

6. Relevant Local and National Policies

6.1 Legislation

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

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

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

6.1.4 The Environment Act 2021.

6.2 Policy & Guidance

National Planning Policy Framework and National Planning Practice Guidance

6.2.1 In December 2024 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

6.2.2 The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits unless there is a clear reason for refusing the development (harm to a protected area).

The Three Rivers Local Development Plan

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

6.2.4 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 CP1, CP6, CP10 and CP12.

6.2.5 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 DM4, DM6, DM8, DM9, DM10 and DM13, and Appendix 4 and 5.

6.2.6 The Site Allocations LDD was adopted in November 2014. Policy SA2 and site E(b) are relevant.

6.2.7 The Batchworth Neighbourhood Plan (Referendum Version) was approved in May 2025 following a residential referendum. Policy BW CO7 and BW CO8 are relevant

6.3 Other

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

7. **Analysis**

7.1 Principle of Development

7.1.1 The National Planning Policy Framework sets out that the Government is committed to securing economic growth to create jobs and prosperity and advises that to help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

7.1.2 Policy CP1 of the Core Strategy seeks to ensure that development contributes to the sustainability of the district and sets out provisions including that development should consider the need to maintain high levels of employment by attracting jobs and training opportunities for local people.

7.1.3 Policy CP6 of the Core Strategy further states that the Council will support development that sustains parts of the district as attractive areas for business locations and that the sustainable growth of the Three Rivers economy will be supported by continuing to focus employment use within the key employment areas within the district including Rickmansworth Town Centre.

7.1.4 Policy SA2 of the Site Allocations LDD sets out that allocated employment sites will be safeguarded for business, industrial and storage or distribution uses.

7.1.5 Policies BW CO7 and BW CO8 of the Batchworth Neighbourhood Plan (2025) relate to employment and design principles for B2-B8 employment uses.

7.1.6 This application proposes a change of use of one level of a car park building, which serves a three-storey office building.

7.1.7 The office building is currently in office use (formerly categorised as B1(a) use, now categorised as E(g)(i) use). The car park building is associated with the wider use of the

site. The original planning permission for development of the site to its current form (8/413/88) included Condition 3, which states that the car park shall be permanently retained for parking to serve the office use. Condition 7 of this permission is also considered to be relevant which states that no enlargement to any building subject of the permission, nor shall any additional floorspace be provided within such building, without the prior written permission of the Local Planning Authority. The proposed development therefore requires permission.

7.1.8 The proposed floor plans state that the new use would be “Class E”, which covers a wide range of uses. The planning statement and application form suggests the newly created “Class E” floor space would also be an office use. It is unlikely that there would be an in principle objection to office use. Class E is broad and, in the absence of further information about the intended use, it would be necessary to restrict the proposed use because it is considered that an open ended Use Class E use would not be appropriate. Use Class E(a) and (b) are not considered appropriate to the location, because such uses are better suited to town centre locations, and such uses may result in the need for increased on-site parking that is not accounted for in the submission. Similarly, Use Class E(f) is not considered appropriate because the nature of that use would have the potential to impact trips to and from the site and general intensification of the site which are considered to require further detailed consideration. On that basis, a condition is attached restricting the use to those parts of Use Class E considered appropriate having regard to the context of the application site and the available parking on site..

7.2 Impact upon the character and appearance of the area

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. Policy CP12 relates to design and states that in seeking a high standard of design, the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'conserve and enhance natural and heritage assets'.

7.2.2 The Batchworth Neighbourhood Plan (Referendum Version) was approved in May 2025 following a residential referendum. The Batchworth Neighbourhood Design Code is also relevant, as an appendix to the Plan. The application site is within Character Area 1: Rickmansworth Town.

7.2.3 The existing car park building is located close to Church Street, where the road bridges over the watercourse. It is set at a lower level to the road due to the bridge, therefore the upper floor to the building is the main visible part from the road. The full extent of the building is also visible from public vantage points including footpaths adjacent to the canal. The proposed development would alter the appearance of the existing building, departing from its currently open and somewhat industrial character to a more enclosed and solid appearance. The existing building is a relatively prominent feature in the street, and the proposed changes would make the building more noticeable in its surrounding context however it is not considered that this would equate to harm. The proposed new external walls would be a brick to match part of the existing building, and the Trinity Court office building. It is considered that the proposal to enclose the building and install windows would not cause demonstrable harm to the street scene or area. It is considered appropriate to condition final details of external materials prior to their use, to ensure that the development has a satisfactory appearance. It is considered that the proposed associated works, including landscaping adjacent to the building would not cause any harm in this regard. Overall, the proposed development would not harm the character and appearance of the dwelling or area.

7.2.4 In summary, the proposed amended development is acceptable in accordance with Policies CP1 and CP12 of the Core Strategy, the Batchworth Neighbourhood Plan (2025), and the NPPF (2024).

7.3 Impact on Neighbours

7.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Policy DM9 of the Development Management Policies document states that planning permission will not be granted for development which has an unacceptable adverse impact on the indoor and outdoor acoustic environment of existing or planned development.

7.3.2 It is not considered that the proposed development would result in any loss of light or overbearing impact to any adjoining neighbour given the separation distance and the works taking place within the footprint of the existing building. The proposed development would include windows serving floor space to be occupied in Class E use. The planning statement submitted with the application indicates a proposed office use. It is not considered that the proposed development would harmfully overlook neighbouring occupiers, including the rear gardens on Harefield Road. It is not considered that demonstrable harm by noise would occur from the use.

7.3.3 The proposed development would therefore be acceptable in this regard in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM9 of the Development Management Policies LDD.

7.4 Highways & Parking

7.4.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means of access and to make adequate provision for all users, including car parking. Policy DM13 and Appendix 5 of the Development Management Policies document set out parking standards and states that:

- B1(a) Offices must provide 1 car parking space per 30sqm of gross floor area.

7.4.2 Appendix 5 states that the standards for car parking (except for C3 Residential) may be adjusted according to which zone the proposed development is in. The application site in this case is in **Zone 4** where 75-100% of indicative demand-based standard may be applied.

7.4.3 Policy BW CO7 (Employment) of the Batchworth Neighbourhood Plan (2025) is also relevant, which states that conversion of existing buildings for employment use may be supported subject to the impact of provision on the highway network and parking.

7.4.4 An application was previously refused for the same development at the site on this ground. This was on the basis that it was not satisfactorily demonstrated that the development would not result in a shortfall of parking provision, giving rise to parking informally within or around the site. This application is accompanied by a Transport Assessment. Relevant details include clarification on the exact number of parking spaces, floorspace contained in the existing building, and proposals for additional car parking spaces across the site. Under the previous application, Officers were required to make some assumptions to calculate the parking.

7.4.5 The existing use of the site is offices, contained within the three-storey building on the site known as Trinity Court. The site contains a two-storey covered car park building and surface car parking across the rest of the site. There is a total of 101 car parking spaces provided across the site currently.

7.4.6 The adopted parking standards dictate that the existing use (approximately 2500sqm of office floor space) should provide 83 car parking spaces. The existing parking provision, set out above broadly accords with this, with some oversupply of parking provision.

- 7.4.7 The proposed development would result in the loss of 22 car parking spaces from the upper level of the covered car park building, through its proposed conversion to Class E floor space. The proposed new floor space would also create a demand for a further 15 car parking spaces, applying the above adopted standards.
- 7.4.8 The proposed development would therefore have a total demand for 98 car parking spaces (83 add 15). The proposed parking provision would be 79 spaces (101 total existing, minus 22, plus an extra 2 spaces provided). There would therefore be a proposed shortfall of 19 car parking spaces.
- 7.4.9 The shortfall in parking provision from the proposed is relatively large. A zonal based reduction may be applied, given the site's location near to Rickmansworth Town Centre, which includes good public transport links. The zonal based reduction is up to 75% of the total demand, which would equal a demand of 74 spaces. In this scenario, if the reduction was applied to its most generous extent, the proposed development would result in an over provision of 5 spaces (demand of 74 spaces, and the provision of 79 spaces).
- 7.4.10 The previous consideration was that, based on the submitted information, the development would result in a relatively substantial parking deficit against the adopted standards. As such it was considered that Officers could not justify that the development would not result in pressures to park informally within and outside the site. This application has provided clearer information on the existing parking numbers, existing floorspace of the current use, and extra parking provision in the site. There would remain a shortfall in parking provision relative to the highest parking standard however this would not be as significant as the previous shortfall (previous shortfall of 35, now a shortfall of 19). When applying the zonal based reduction, given the sustainable transport links available locally, the development provides a marginal oversupply of parking. Taking this all into consideration, Officers consider that it would now not be justifiable to refuse the application on this ground, and the previous refusal reason has been satisfactorily overcome.
- 7.4.11 The proposed development is therefore acceptable in accordance with Policy CP10 of the Core Strategy (adopted October 2011), Policy DM13 and Appendix 5 of the Development Management Policies document (adopted July 2013), Policy BW CO7 of the Batchworth Neighbourhood Plan (2025) and the NPPF (2024).

7.5 Contamination

- 7.5.1 Core Strategy Policy CP1 requires development to manage and reduce risk of and from pollution in relation to quality of land, air and water and dealing with land contamination. Policy DM9 of the Development Management Policies states that the Council will only grant planning permission for development 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.
- 7.5.2 Officers discussed this application with the Environmental Health Officer. On a recent application at the site (24/1265/PDM), the Environmental Health Officer recommended conditions that would also be relevant to this current application. The previous application included a change of use to the existing office building to a residential use. As noted above, this has not been implemented. The application site was redeveloped from a chemical works following permission granted in 1988. The Environmental Health Officer stated that the site, prior to being redeveloped as offices, had a potentially contaminative use as a chemical works. The Environmental Health Officer therefore recommended the inclusion of conditions for a risk assessment and remediation, a verification report, and reporting of any future contamination. The previous application, as is the case with this application, principally did not propose significant or obtrusive groundworks however the EHO insisted that the conditions were proportionate and necessary. It is noted that the proposed landscaping

works as part of this application would directly disturb the ground. Therefore, subject to the inclusion of conditions, the proposal would be acceptable in this regard.

7.6 Drainage & Flooding

7.6.1 Policy CP1 of the Core Strategy (adopted October 2011), Policy DM8 of the Development Management Policies LDD (adopted July 2013) relate to flooding and drainage.

7.6.2 The application site is adjacent to an existing watercourse however is entirely within Flood Zone 1. It is not considered that there would be unacceptable flood risks to, or because of, the proposed development.

7.7 Trees

7.7.1 Policy CP12 of the Core Strategy expects development proposals to 'have regard to the character, amenities and quality of an area', to 'conserve and enhance natural and heritage assets' and to 'ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features.' Policy DM6 of the Development Management Policies LDD advises that 'development proposals should demonstrate that existing trees, hedgerows and woodlands will be safeguarded and managed during and after development in accordance with the relevant British Standard.

7.7.2 The proposed development would not involve the removal of any trees.

7.8 Biodiversity

7.8.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.

7.8.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application.

7.8.3 A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected because of the application.

7.9 Mandatory Biodiversity Net Gain

7.9.1 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. This is subject to exemptions.

7.9.2 The applicant has confirmed that if permission is granted for the development to which this application relates the biodiversity gain condition would not apply because it is subject to the de minimis exemption (development below the threshold). The LPA agree that Mandatory BNG would not apply in this instance.

8. **Recommendation**

That PLANNING PERMISSION GRANTED subject to the following conditions:

- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

- C2 The development hereby permitted shall be carried out in accordance with the following approved plans: 000 B, 001 B, 002 B, 003, 004, 005, 006, 007, 008 B, 009, 010, 011

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the locality and residential amenity of neighbouring occupiers, in accordance with Policies CP1, CP7, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM6, DM13 and Appendix 5 of the Development Management Policies LDD (adopted October 2013) and Policy DE1 of the Batchworth Neighbourhood Plan (2025).

- C3 Before any building operations above ground level hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

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

- C4 The development hereby permitted shall be used only within Use Class E (c), (d), (e), and (g) 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: Having regard to the location of the site outside of the primary and secondary retail frontage, the Local Planning Authority wishes to have the opportunity of exercising control over any subsequent alternative use which could have an impact on residential amenity and the visual amenity of the character of the area or on car parking requirements and/or 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).

- C5 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) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

- iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- iv) A verification plan providing details of the data that will be collected to demonstrate that the works set out in (iii) 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, in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

- C6 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.

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>.

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, in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

- C7 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 in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 1, 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 in accordance with condition 1.

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, in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

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 who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this (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:

- (a) Making a Non-Material Amendment
- (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 applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the district.
- 14 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.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply.

Development below the de minimis threshold, meaning development which:

- a) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- b) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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.

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>.