PLANNING COMMITTEE – 10 September 2026

26/0520/FUL – Erection of three buildings comprising six new industrial units (Use Classes B2/B8 E (g) (iii) at WOODCOCK HILL INDUSTRIAL ESTATE, HAREFIELD ROAD, RICKMANSWORTH

Parish: Batchworth Community Council
Expiry of Statutory Period: 02.06.26
Extension of Time: 15.09.2026

Ward: Rickmansworth Town
Case Officer: Claire Wilson

Recommendation: That Planning Permission is granted.

Reason for consideration by the Committee: This application was called in by Batchworth Community Council due to concerns regarding traffic safety on the approach road, lack of safe pedestrian access, and use of light industrial estate for further (over) development.

Application Type: Minor development.

To view all documents forming part of the application, please go to the following website: [26/0520/FUL | Erection of three buildings comprising six new industrial units (Use Classes B2/B8/E(g)iii) with ancillary office space, including associated infrastructure, parking and landscaping | Woodcock Hill Industrial Estate Harefield Road Rickmansworth Hertfordshire WD3 1PQ]

1 Relevant Planning History

1.1 01/00283/FUL: Erection of new industrial unit and re-siting of associated parking. Application refused.

1.2 15/1918/FUL: Rear extension to industrial unit (Unit 10). Application permitted.

1.3 17/1564/FUL: Side and rear steel framed extension and creation of parking provision (Unit 8). Application permitted.

2 Description of Application Site

2.1 The area of land which forms the application site is located to the rear of the existing Woodcock Hill Industrial Estate, accessed via Harefield Road, Rickmansworth. The application site (as identified by the red line) is located directly behind Units 7, 8 and 9. The industrial estate is served by existing internal access roads.

2.2 The area of land located to the rear of Unit 7 consists mainly of grassland which does not contain any development at present and is enclosed by significant vegetation to the boundaries. The area located to the rear of Units 8 and 9 appears to consist of land which is used for the storage of boats, containers and other industrial items.

2.3 The wider site consists of range of buildings, many with an 'industrial'/ 'commercial appearance. Existing parking is generally located outside of the existing units, with some parking taking place along the existing internal access road.

2.4 The application site is located within the Metropolitan Green Belt.

3 Description of Proposed Development

3.1 The applicant is seeking full planning permission for the erection of three buildings comprising six new industrial units for Use Classes B2/B8/E(g) (iii).

3.2 The new detached buildings would be located in a 'U-shape'. The building to accommodate units 1 and 2 would be located adjacent to the northern boundary of the application site. The building would have a width of 20.8m and a depth of 11m. The building would have a pitched roof form with gable ends and a height of approximately 6.7m. The roof form would include a number of rooflights across the front and rear roofslopes.

3.3 The building containing units 3 and 4 would be located adjacent to the rear boundary of the site. The building would have a width of approximately 23m and a depth of 9.8m. The plans indicate that this building would also have a pitched roof form with gable ends to the flank elevations. The plans indicate that this building would have a height of approximately 6.5m with the roof form also including a number of rooflights to the front and rear roofslopes.

3.4 The building containing units 5 and 6 would be located adjacent to the southern boundary of the site. The plans indicate that the building would be located immediately adjacent to the existing building known as Unit 7.

3.5 Off street car parking would be provided to the front of the buildings and there would be a total of 12 spaces provided. The plans also indicate the provision of one dedicated loading bay.

3.6 As part of the application, a number of highway improvement works are proposed including

- Providing an upgrade to both bus stops on Harefield Road with new hardstanding and Kassel kerbing.
- Provide short footway links between the bus stops and site access, a new footpath within the site linking the footways on the highway to an existing footway within the wider Woodcock Hill Industrial Estate.

4 Consultation

4.1 Statutory Consultation

4.1.1 Batchworth Community Council (First comment): [No objection].

BCC have no objection in principle to the application but request a detailed traffic management and operations plan to maintain public safety on a narrow highway.

4.1.2 Batchworth Community Council (Second comment): [Objection].

Following further reconsideration, Batchworth Community Council requests that application 26/0520/FUL be called in to committee unless officers are minded to refuse.

Our reasons for this are:

1. Traffic safety on the approach road.
2. Lack of pedestrian safe access.
3. Use of existing light industrial estate for further (over) development.

4.1.3 Hertfordshire County Council – Highway Authority (First comment): [Objection]

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 recommends that permission be refused for the following reasons:

1. Insufficient details have been submitted to demonstrate that the proposed transport and access arrangements, specifically in respect to pedestrian access, are acceptable and sufficient. The proposals have therefore not been shown to be in accordance with policy

guidelines as outlined in the National Planning Policy Framework (NPPF) 2024 and Hertfordshire County Council' (HCC) Local Transport Plan 4 (LTP4).

Comments: Please see the details outlined below for more information and further comments:

The site is accessed via an existing vehicular access from Harefield Road. Harefield Road is designated as a classified C local access road, subject to a derestricted speed limit of 60mph and is highway maintainable at public expense. Harefield Road is classed as P1/M2 (inter-urban road) on HCC's Place & Movement Network. The speed limit changes to 30mph approximately 430m north of the site.

The proposals utilise the existing vehicle access into the Woodcock Hill Industrial Estate, which is considered to be acceptable in terms of vehicular access.

HCC as Highway Authority does not have an objection to the nature and scale of use when taking into account the location within the existing industrial estate. Nevertheless further details would need to be provided in order to consider the overall proposals acceptable from a highways and transport perspective including:

Details and plans of the referred to new highway footway to provide a link between to the bus stops and the site access. Any footway link would need to be demonstrated to ensure safe and suitable access for pedestrians but also retain safe and suitable access for vehicles to and from the site. Any footway link should be at least 2m wide and designed in accordance with HCC's Place & Movement Planning and Design Guidance and DfT's Inclusive Mobility.

Details and plans of the proposed bus stop upgrades (even if shown indicatively on the plans at this stage and labelled that detailed design would be subject to full technical review as part of the section 278 technical review).

Updated TS to state that the new footway links and bus stops upgrades would be secured via a Section 278 with HCC as Highway Authority not via a 106 contribution, which is currently stated.

A swept path analysis / tracking plan for the maximum length of HGV that would need access to the site e.g. articulated HGV with a 16,5m length. This was flagged up at pre-application stage, however the TS only appears to show tracking for vehicle with a max length of 10.5m long refuse vehicle. The tracking should be updated to represent the largest anticipated vehicles that would need access to the site - if this is expected to be a refuse vehicle then that would need to be for a 12m long refuse vehicle, which is the size used by TRDC as refuse collection authority.

An extent of highway plan would need to obtained to illustrate the aforementioned highways works improvements in the context of the existing extent of highway maintainable at public expense.

There are no objections to the details as submitted in respect to trip generation, vehicle parking and the overall internal site layout, subject to aforementioned requested additional details. HCC as Highway Authority is therefore recommending that the application be refused in its current form, due to lack of sufficient information. The additional details would be necessary to ensure that the proposals overall proposals are in accordance with LTP Policy 5a,b and the NPPF, specifically paragraphs 115a, b and 117. It is therefore currently unable for HCC as Highway Authority to recommend the granting of permission for this application.

4.1.4 Officer response: In response to the consultee comments received, the applicant provided further information and Herts Highways were re-consulted.

4.1.5 Hertfordshire County Council – Highway Authority (Second comment: [Objection])

Recommendation: Requesting amended details to ensure accordance with the NPPF and Hertfordshire's Local Transport Plan.

Comments: An amended Transport Statement and Memo dated 11/05/2026 has been submitted in response to HCC as Highway Authority's original response dated 23/03/2026. The Highway Authority welcomes the additional details. The details and plans in respect swept path for vehicles is considered to be acceptable and sufficient, including tracking for a 16.5m long articulated HGV (figure 4.1).

The updated points in respect to the delivery mechanism for the off-site highway works and full technical review via section 278 is also acknowledged and accepted.

It would however be recommended that the current plan (figure 4.2) be updated and amended to remove the suggested 1.2m wide highway footway on the north-east side of carriageway / northwest side of the vehicle access. It is acknowledged hat the extent of highway is limited on the this side of the carriageway, however a 1.2m wide footway is not acceptable nor in accordance with HCC's Place & Movement Planning and Design Guidance nor the DfT's Inclusive Mobility (2020) document where a 2m wide footway is recommended (and a minimum of 1.5m where this cannot be achieved).

Alternatively it is suggested that a 1.5m to 2m wide footway be considered on the south-west side of the carriageway to provide access to the bus stop on the west side of the carriageway, accessed via pedestrian dropped kerbs and tactile / blister paving from the proposed new footway on the north-east side of the carriageway / southeast side of the vehicle access. Exploration would therefore need to be made as to whether this can be provided within the existing extent of highway verge and/or whether any some minor localised carriageway narrowing may be required.

All other proposed footways or footpaths should also provided (and therefore labelled as) at 1.5 to 2m , which would be considered to be achievable.

HCC as Highway Authority is therefore recommending the above amendments prior to a formal recommendation of approval.

4.1.6 Officer Comment: An updated Highways Plan has been provided and the following comments received:

4.1.7 Hertfordshire County Council – Highway Authority: [Third comment: No objection]

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:

1. Highway Improvements – Offsite
A) Design Approval
Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the off¬site highway improvement works, as indicatively shown on drawing number Figure 4.2 rev A, and including bus stops improvements at both the north and southbound bus stops, have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

B) Implementation / Construction
Prior to the first use of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.
Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

2. 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. Construction and storage compounds (including areas designated for car parking, loading /unloading and turning areas);
d. Siting and details of wheel washing facilities;
e. Cleaning of site entrances, site tracks and the adjacent public highway;
f. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
g. Provision of sufficient on-site parking prior to commencement of construction activities;

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

Highway 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:

AN) 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

Comments

An amended Transport Statement and Memo dated 11/05/2026 was submitted in response to HCC as Highway Authority's original response dated 23/03/2026. The details and plans in respect swept path for vehicles is considered to be acceptable and sufficient, including tracking for a 16.5m long articulated HGV (figure 4.1).

An updated highways and access plan has subsequently been submitted (and received on 25/06/2026) - drawing number Figure 4.2 in response to points made by HCC as Highway Authority in respect to the proposed pedestrian footway arrangements and off-site highway works. The updated proposals include a new 1.5m to 2m wide footway from within the site to join the existing footway within the site to a new stretch of highway footway with an uncontrolled crossing points to made up of pedestrian dropped kerbs and tactile / blister paving on either side of the highway carriageway.

The proposals also include relocating the existing bus stop and the provision of an appropriate level of bus stop infrastructure improvement (against the existing bus stops which have very little to no infrastructure). The latest plan appears to have removed specific reference to the improve the southbound stop (on the east side / development side of Harefield Road). A sufficient level of hardstanding and easy access kassel kerbing would need to be provided at the both north and south bound bus stops. The wording of the recommend of-site highway works condition has therefore be expanded to specifically include this.

The applicant would need to enter into a Section 278 Agreement with HCC as Highway Authority in respect to the full technical review and ultimate implementation of the necessary off-site highway works. Please see the above highway informative for more details in this respect.

As previously stated in its previous response, there are no objections from HCC as Highway Authority to the details as submitted in respect to trip generation, vehicle parking and the overall internal site layout. Three Rivers District Council as Local Planning Authority would need to be satisfied with the level and type of parking on-site, taking into account the proposed use class and location.

Conclusion: HCC as Highway Authority would therefore not have an objection to the granting of planning permission particularly as the nature of the proposals are in keeping the existing industrial estate, subject to the inclusion of the above conditions and highway informative

4.1.8 TRDC Local Plans: [No objection]

The application site is categorised as being located within an "other settlement", as identified in the Core Strategy (adopted 2011). From satellite imagery it appears that approximately half of the site (northern section) comprises of previously developed land, appearing to form part of the wider industrial estate. The site lies wholly within the Metropolitan Green Belt.

Paragraph 153 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 further sets out that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Paragraph 154 of the NPPF states that development in the Green Belt is inappropriate unless certain exceptions apply. Paragraph 154 of the NPPF sets out the following exceptions to inappropriate development in the Green Belt:

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

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

i. mineral extraction;
ii. engineering operations;
iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Additionally, paragraph 155 of the NPPF sets out that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

a) There is a demonstrable unmet need for the type of development proposed;
b) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
c) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157

The council has undertaken a Stage 4 Green Belt Review, which is available at https://www.threerivers.gov.uk/services/planning/planning-policy/new-local-plan#Evidence%20base.

As part of the review, there has been an assessment as to whether edge of settlement Green Belt parcels are "provisional grey belt". It must be noted that the assessment of grey belt is a planning judgement, with each case assessed under its own merits, whereby planning officers may have a different outcome to the Green Belt Review. The Stage 4 Green Belt Review also identifies broad areas of 'fundamental importance' within the Green Belt in Three Rivers. This analysis is intended to provide evidence for the council to underpin any future 'fundamentally undermine' test.

Policy CP6 of the Core Strategy states that the council will support development that sustains parts of the district as attractive areas for business location and provides for a range of small, medium and large business premises. It also states that the sustainable growth of the Three Rivers economy will be supported by supporting economic development in rural areas where this would contribute to sustainable development objectives would be consistent in scale with the rural location and would not result in harmful effects on the environment or local communities.

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. Table 8.7 of the South-West Herts Economic Study (September 2024) sets out that within Three Rivers specifically, supply of industrial, storage and distribution floorspace falls short of the level implied to meet need, but by a small amount (3,100 sqm or less than 1.0 Ha). However, it must be noted that the study identifies need and supply for the Functional Economic Market Area (South-West Herts) as a whole, with the preferred scenario selected for providing the most appropriate indicator of industrial, storage and distribution need for the area. It does not recommend treating the need figures for individual districts as the level of demand which should be planned for.

In terms of offices, 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".

Whilst not directly applicable to the application site, at the 27 January 2026 Extraordinary Full Council, the emerging Local Plan was agreed to proceed to Regulation 19 Consultation. However, on 5 February 2026, the council was issued a holding direction by the Minister of State for Planning and Housing preventing the council from taking "any step in connection with the adoption of the Plan", including proceeding with the Regulation 19 consultation until the Minister reviewed the emerging Plan's evidence base. On 18 March 2026, the council was issued a Local Plan Intervention letter whereby the Minister of State for Planning and Housing issued a total of 9 directions to the council, including timelines for specific actions, such as commencing the Regulation 19 consultation (by 31 July 2026). At this stage, the emerging Local Plan including its policies should be given minimal weight.

4.1.9 Environment Agency: [No objection]

Thank you for consulting us on this planning application on 13 May 2026. As part of this consultation, we have reviewed the following document:

• Document titled 'Ground condition desk top study', prepared by Ground Condition Consultants Ltd (Ref: J26-009-R01, dated March 2026).

Environment Agency position:

The proposed development will be acceptable if the six conditions outlined in this response are included on the planning permission's decision notice. Without these conditions we would object to the proposal due to its adverse impact on the environment.

The proposed site development is located in an area that was previously part of a brick field/works, where soils have been removed to an unknown depth and replaced with unspecified fill material. This may present a high risk of contamination, including the presence of made ground containing potentially hazardous substances. Such contamination could be mobilised during excavation, site works and construction activities to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is:

• located within source protection zone 3.
• located upon a principal aquifer.

The supporting documents submitted and reviewed as part of this response demonstrate that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information is however required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the Local Planning Authority (LPA).

Without the following conditions we would object to the proposed development in line with paragraph 187 of the National Planning Policy Framework (NPPF) because it cannot be guaranteed that the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate or will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Condition 1 - Universal condition for development on land affected by contamination

No development approved by this planning permission shall commence until an updated remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the LPA. This strategy will include the following components:

1. Up to date Preliminary Risk Assessment (PRA) and conceptual model following the results of an exploratory investigation
2. A detailed site investigation scheme, based on the results from (1) to provide information for a detailed risk assessment to all receptors that may be affected, including those off-site.
3. A tiered risk assessment using the results of the site investigation referred to
in (2).
4. An options appraisal including sustainability and treatability studies of the remediation measures required and how they are to be undertaken.
5. A remediation strategy and verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, mitigation, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the LPA. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the NPPF.

To ensure the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate in line with paragraph 187 of the NPPF.

Further comment: We consider that the submitted information addresses part 1. A detailed site investigation scheme, is required, based on the results from (1) to provide information for a detailed risk assessment to all receptors that may be affected, including those off-site. A remediation strategy is required to address risks that may be identified in the proposed development.

Condition 2 - Verification report

Prior to any part of the development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the LPA. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to the land and water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 187 of the NPPF.

Condition 3 - Previously Unidentified Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the LPA. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.
This is in line with paragraph 187 of the NPPF.

Condition 4 – Foundation scheme to be agreed

Piling, deep foundations or other intrusive groundworks (investigation boreholes/tunnel shafts) using penetrative method hereby permitted by the LPA may not commence until such time as a scheme has been submitted to, and approved in writing by, the LPA. The scheme shall be based on the information submitted as part of the application and, where necessary, supported by:

- Foundation Works Risk Assessment
- A conceptual site model
- Specification of the type, number and depth of proposed piles/ foundations/ dimensions of shaft/tunnel/ design of heating and cooling system
- A detailed groundwater monitoring programme including a schedule for submission of interim and final monitoring reports
- A contingency action plan including the list of potential mitigation measures that will be implemented, should unexpected changes in groundwater quality be noted as a result of decommissioning investigative boreholes works.
- Timing/phasing arrangements.
  The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements contained in the scheme, or any details as may subsequently be agreed, in writing, by the LPA.

Reason: To ensure that the proposed Piling, deep foundations or other intrusive groundworks (investigation boreholes/tunnel shafts), does not harm groundwater resources in line with paragraph 187 of the NPPF and Position Statement N7 - Hydrogeological risk assessment of The Environment Agency's approach to Groundwater Protection Position Statements.

Further comment: We recommend that developers should follow the guidance provided in Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination; Guidance on Pollution Prevention (CL:AIRE 2025) – available at https://claire.co.uk/home/news-new/piling-and-penetrative-ground-improvement-methods-on-land-affected-by-contamination-guidance-on-pollution-prevention.html when dealing with land affected by contamination and/or if the proposed piles extend to the Chalk within the saturated zone in a Source Protection Zone for public waters supply.

Condition 5 - Scheme to be agreed – surface water drainage

No development shall commence until a detailed surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the LPA. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The scheme shall confirm:

- whether infiltration drainage is proposed;
- where infiltration is proposed, a detailed groundwater risk assessment demonstrating that there will be no unacceptable risk to controlled waters, having regard to the presence of made ground of unknown composition and the underlying principal chalk aquifer;
- where a risk is identified, infiltration drainage shall not be permitted, and alternative drainage measures shall be implemented.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. Without this condition we would object to the proposed development in line with paragraph 187 of the NPPF because it cannot be guaranteed that the development will not present unacceptable risks to groundwater resources.

Condition 6 - Decommission of investigative boreholes

The development hereby permitted may not commence until such time as a scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the LPA. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the LPA. The scheme will need to include the following:

Decommissioning Plan to include intended programme/schedule of works and detailed method statement

ii. Borehole Retention Plan to include location, security and protection measures

ii. Verification report for the decommissioned boreholes to include records of:

- the reason for abandonment.
- groundwater level prior to decommissioning.
- any removal of casing or attempts to remove the casing.
- the depth, position and nature of backfill materials.
- problems encountered during decommissioning.

Reason: To ensure that redundant boreholes are safe and secure, and do not pose an unacceptable risk of groundwater pollution or loss of water supplies in line with paragraph 187 of the NPPF

Advice to Local Planning Authority: Competent persons

The proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy, carried out by a competent person in line with paragraph 196 of the National Planning Policy Framework. The Planning Practice Guidance defines a "Competent Person (to prepare site investigation information): A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation."(http://planningguidance.planningportal.gov.uk/blog/policy/achievingsustainable-development/annex-2-glossary/).

Advice to the applicant: Land contamination: risk management and good practice

We recommend that developers should:

- Follow the risk management framework provided in Land Contamination: Risk Management, when dealing with land affected by contamination

- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health

- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed. Refer to the contaminated land pages on gov.uk for more information

Waste on-site: Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the environmental permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. We recommend that developers should refer to the waste management page on GOV.UK.

We will consider any queries in relation to the use of Definition of Waste: Development Industry Code of Practice (DoWCoP) (which is to be updated) through our environmental permitting enhanced pre-application advice service, considering site conditions, the materials that are proposed to be used, and the potential for harm to the environment and to human health. We can also provide advice as to whether an environmental permit is required.

Waste to be taken off-site

Contaminated soil that is (or must be) disposed of, is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If the total quantity of hazardous waste material produced or taken off site is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

Water Efficiency Advice: Increased water efficiency for all new developments potentially enables more growth with the same water resources. Developers can highlight positive corporate social responsibility messages and the use of technology to help sell their homes. For the homeowner lower water usage also reduces water and energy bills.

We endorse the use of water efficiency measures especially in new developments. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be considered as part of new developments.

Commercial/Industrial developments: We recommend that all new non-residential development of 1000sqm gross floor area or more should meet the BREEAM 'excellent' or the latest equivalent standards for water consumption. We recommend you contact your LPA for more information.

Pre-Application Advice: Regarding future applications, if you would like us to review a revised technical report prior to a formal submission, outside of a statutory consultation, and/or meet to discuss our position, this will be chargeable in line with our planning advice service. If you wish to request a document review or meeting, please contact our team email address at HNLsustainableplaces@environment-agency.gov.uk.

Further information on our charged planning advice service is available at: Planning and marine licence advice: standard terms for our charges - GOV.UK

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

4.1.10 Environmental Health Officer: [No objection]

The following documents have been reviewed:

Report Ref. Ground Condition Desk Top Study, March 2026, Ground Condition Consultants, J26-009-R01

Please find below a summary of the findings of the report comments and recommendations. The Ground Condition Desk top study completed by Ground Condition Consultants (GCC) (J26-009-R01) has been completed to support a planning application for the redevelopment of the Site for four industrial units with associated access ways and soft landscaping.

The Site is situated to the rear of an existing industrial estate for which several uses have been identified including garage, plastics manufacturer, scientific instrument manufacturer, and insulation contractor. On the Site itself the northern Site portion is used as storage with drums, boats, vehicles, and containers present, and the southern Site portion unoccupied. A mound separates the northern and southern Site portions. The existing on and off-site uses include several potential contamination sources, these should be adequately recognised in the conceptual site model, noting the potential for contaminants originating off-site to have migrated onto Site. Given the potential for poor environmental practices on-site a high risk for the potential for pollution to the underlying deposits should be assigned.

The historical map review of the Site by GCC identifies the Site as a brick works and pit since the earliest available historical maps through which several extensions are apparent throughout the years. By the 1960's the former brick pits had been infilled and the existing industrial estate developed. No further significant development is noted from the 1970's.

The historical review identifies, rightly, the key aspect relevant to contaminated land is the brick works and backfilling of the former pits. The review however fails to identify the railway sidings as being historically present on-site and should provide further information on the brick works, what material was being excavated, the likely depth of the brick works pit. As part of the historical review historical information on the mound origin should be gained where possible. The existing historical review is limited in its extent.

Ground conditions on-site are identified as the Lambeth Group underlain by the Chalk Formation. GCC recognise the likelihood Made Ground identified as being infilled material exists. Solution pipes are identified as being present 30m east of the Site.

The British Geological Survey Borehole Records should be reviewed further to better understanding ground conditions on-site. As detailed in the report the presence of solution pipes 30m east of the Site indicates the Chalk is at a shallow depth with the former brick pits likely to have removed the majority if not all the Lambeth Group. Consideration throughout the remainder of the report in the absence of the Lambeth Group should be taken.

The Site is in a groundwater Source Protection Zone 3 (SPZ 3), with the Chalk Formation a Principal Aquifer, and Lambeth Group a Secondary A Aquifer. The SPZ 3 is determined as being relevant to the Chalk Formation and potable abstractions 1124m north west. Surface water features on-site or within the surrounding area have not been identified.

The review of the hydrogeology does not account for the presence of non-potable groundwater abstractions closer than that detailed 1,124m north west for which the closest abstraction is positioned 829m north west. The assessment should also take into account the potential absence of the Lambeth Group on-site and make an assessment of the likely groundwater flow direction.

The Site is not situated within a radon sensitive area. The report identifies a landfill being situated 60m east with inert and industrial waste present, with the infilled brick works pits not identified as a registered landfill.

Regulatory consultation includes Three Rivers District Council for which a reply had not been received. The Environment Agency, and council mineral and waste team have not been consulted.

Within their assessment a Department of Environment – industry profile for waste recycling, treatment and disposal sites, landfills, and other waste treatment or waste disposal sites has been identified. The list of contaminants detailed under this section as potential contaminants is however not consistent with the list of potential contaminants of concern detailed within the department of industry profile with notable absences of PFAS, and PoPs.

In the reports conclusion it is considered there is a low/moderate risk to human health receptors from asbestos fibres in soft landscaping areas and from ground gas. A significant risk to underlying aquifers has not been identified on the basis the Lambeth Group would restrict the lateral and vertical migration of contaminants.

Recommendations: A planning application (26/0520/FUL) has been made for the Site redevelopment for four industrial units, as part of the planning application a desk top study has been issued further to understanding the Site's contaminated land status in accordance with LCRM. A review of the report identifies several issues with the assessment completed for which additional information and assessment are required in order to achieve the required Site understanding and develop an appropriate preliminary conceptual site model. Identified issues and resultant required actions include the following.

1) Further information should be gained on the existing Site uses and the potential contaminants of concern arising from these uses included throughout the remainder of the preliminary conceptual model.

2) The Site history section is limited in its understanding of the Site history. Further information on the former brick works should be sought to understand the material being

removed, and what it may been have infilled with. The extended review should take into account the railway sidings identified as being present on-site, together with the likely origin of the mound.

3) British Geological Survey borehole records should be reviewed further to gaining a better grasp on ground conditions. The presence of solution pipes and likely excavation of the Lambeth Group has potentially resulted in the Chalk Formation directly underlying the waste material onsite which should be considered further in the preliminary conceptual model.

4) Whist the principal potable groundwater abstraction borehole has been identified the abstraction boreholes at the golf club north of the Site should be identified in the report and together with the potable water abstraction borehole taken forward as receptors in the preliminary conceptual model. We would expect any intrusive ground investigation to assess whether the Site is having an impact on these groundwater abstraction receptors.

5) The assessment of the material on-site as having a low ground gas generation potential due to its age is only relevant where conditions in the deposited material are such degradation of the material has occurred. No assessment of whether conditions are likely to have allowed the degradation of the waste material has been made and should be made.

6) The Environment Agency and council waste and mineral team should be consulted further to providing further information on the Site notably the waste material potentially present.

7) The Groundsure Report identifies a Mine shaft 121m north into the Chalk this has not been noted in the report and should be. The potential for further mine shafts on-site should be considered in the report.

8) The report should include a potential contaminant of concern section which includes both historical and current sources. The updated Department of Environment industry profiles should be used to establish the likely contaminants of concern. Justification should be provided where contaminants identified in the DoE industry profile are not taken forward as potential contaminants of concern.

9) The preliminary conceptual model should be updated to consider groundwater abstractions in the surrounding area together with vapour from volatile sources identified on-site. The inclusion of vapour as a ground gas would not be accepted with vapour considered as its own risk.

10) We disagree with the assessment of the risk to controlled water receptors as being absent. Which has been made on the basis sufficiently permeable deposits are absent with the Site underlain by the Lambeth Group, and within the conclusions section on the basis sufficient quantities of mobile contaminants are absent. We disagree on both fronts. The former brick works has potentially removed the majority of the Lambeth group with the waste being potentially directly underlain by the Chalk Formation. The Lambeth Group whilst predominately a cohesive deposits may contain granular layers for which the lateral migration off-site of contaminants could occur. The risk to controlled water receptors is a key concern for this Site alongside ground gas and vapour for which we would require the assessment of the risk to controlled water receptors. This assessment should be incorporated into the intrusive investigation.

11) Sufficient information as to the ground gas risk has not been provided in order to establish a low ground gas risk is absent. A robust assessment of the ground gas and vapour risk should be incorporated into the proposed ground investigation.

We would advise contaminated land matters on the Site can be dealt with via the following conditions.

- A Tier 1 Preliminary Risk Assessment to establish the preliminary conceptual model

o A re-submission of the GCC Desk Top Study would not be accepted and wholly revised or new desk top study which addresses the issues identified in this review would be required.

- A Tier 2: Generic quantitative risk assessment to investigate potential plausible contaminant linkages identified by the Tier 1 assessment. The scope of ground investigation shall be agreed with the LPA in advance of the works commencing;

o The issue of the Ground investigation Specification for review prior to completion is advised in order to ensure all parties are in agreement on the scope of work and assessment detailed.

- A Tier 3: Detailed quantitative risk assessment if the Tier 2 assessment identifies one or more potential contaminant linkages that need a detailed assessment;

- A Remediation Options Appraisal, Remediation Strategy and Verification Plan;

- A Remediation Verification report to demonstrate risks have been reduced, the remediation objectives and criteria have been met, and the site is suitable for use

4.1.11 Affinity Water: [No objection]

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

Water quality: We have reviewed the planning application documents, and we can confirm that the site is not located within an Environment Agency defined groundwater Source Protection Zone (SPZ) or close to our abstractions.

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. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site, then the appropriate monitoring and remediation methods will need to be undertaken.

For any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system), a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer.

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. 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.

We currently offer a discount to the infrastructure charge for each new development where evidence of a water efficiency design to a standard of 110litres (or less) per person per day is expected. The discount value for the charging period 2023/24 is £258. For more information visit Water efficiency credits (affinitywater.co.uk).

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 applicant/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.

Due to its location, Affinity Water will supply drinking water to the development in the event that it is constructed. Should planning permission be granted, the applicant is also advised to contact Developer Services as soon as possible regarding supply matters due to the increased demand for water in the area resulting from this development.

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

4.1.12 Thames Water: [No objection]

Waste Comments:
With the information provided, Thames Water has been unable to determine the Foul water infrastructure needs of this application. Thames Water request that the following condition be added to any planning permission.

"No development shall be occupied until confirmation has been provided that either:-

1. Foul water Capacity exists off site to serve the development, or
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or
3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (e-mail: devcon.team@thameswater.co.uk) prior to the planning application approval.

With the information provided Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water request that the following condition be added to any planning permission.

"No development shall be occupied until confirmation has been provided that either:-

1. Surface water capacity exists off site to serve the development or

2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan; or
3. All Surface water network upgrades required to accommodate the additional flows from the development have been completed.

Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents.

The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (e-mail: devcon.team@thameswater.co.uk) prior to the planning application approval.

The foul water network in this catchment is impacted by high infiltration flows during certain groundwater conditions. Care must be taken when designing new networks to ensure they don't surcharge and cause flooding. Whilst design and construction guidance for sewers allows for an element of infiltration, we would expect in high risk areas such as this that additional precautions are taken to minimise infiltration; this should be in the form of the installation of leak tight liners within sewers and resin injection to seal chambers. This will help to mitigate the risk of flooding in the vicinity of the development (e.g. reduce property flood risk and travel disruption in the locality) and also help to reduce the risk of pollutions in the wider environment, particularly considering the impact of climate change. In the longer term, Thames Water, along with other partners, are working on a strategy to reduce groundwater entering public sewer networks.

The surface water network in this catchment is impacted by high infiltration flows during certain groundwater conditions. Care must be taken when designing new networks to ensure they don't surcharge and cause flooding. Whilst design and construction guidance for sewers allows for an element of infiltration, we would expect in high risk areas such as this that additional precautions are taken to minimise infiltration; this should be in the form of the installation of leak tight liners within sewers and resin injection to seal chambers. This will help to mitigate the risk of flooding in the vicinity of the development (e.g. reduce property flood risk and travel disruption in the locality) and also help to reduce the risk of pollutions in the wider environment, particularly considering the impact of climate change. Developers must liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. This must also ensure that the design of any SUDS or surface water management solution conveys exceedance flows away from public sewer networks. In the longer term, Thames Water, along with other partners, are working on a strategy to reduce groundwater entering public sewer networks.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

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.

Supplementary Comments:
For Thames Water to determine whether the existing sewer network has sufficient spare capacity to receive the increased flows from the proposed development, a drainage strategy must be submitted detailing the foul and surface water strategies. Details of any proposed connection points or alterations to the public system, including calculated discharge rates (pre and post development) must be included in the drainage strategy.

4.1.13 TRDC Tree and Landscape Officer (First comment): [Objection]

Concerns raised. New hard surfacing is proposed in the RPA of T16 Willow (12m height, multi-stemmed and with a canopy diameter of approx. 10m). The RPA incursion for this tree is quoted at 45%, well over the 20% threshold advised in BS5837, so I'm concerned about the long-term stability of this tree especially given that 3 parking bays are proposed beneath its canopy on the root-compromised side. I'd recommend that the design is adapted in the interest of safety.

Secondly, I appreciate the arboriculturist's comments that there isn't sufficient space for replanting in the immediate area, but would like to ask if there's space for replacement planting anywhere else around the site? It would be best to plant at least 5 replacement trees for those proposed for removal.

4.1.14 Officer comment: In response to the Landscape Officer's concerns, the following information was provided by the applicant:

Just to add some additional context to the tree retention plan, the overall intention was to retain trees wherever possible within the constraints of the site layout, which is very limited in terms of how the units can fit in with the required site parking and turning circle spaces as presented within the design. With that in mind, we have looked to then to only remove trees where there is a clear and obvious constraint that cannot be managed in terms of mitigated design and then where possible allow for partially constrained trees to be retained.

Specifically with respect to T16, if the existing layout was one of soft landscaping that had seen little or no recent site activities, then the proposed coverage of approx.. 45% (as opposed to the standard 20%) may have resulted in our deciding to remove the tree, this then notwithstanding the proposed mitigated design of using porous ground protection. However, whilst not hardstanding, the ground conditions within the RPA of T16 show significant compaction as a result of both current and historic light industrial site use; this then from vehicles, the locating of shipping containers and general materials and equipment storage over many years.

With careful consideration to these current poor ground condition, it was therefore concluded that provided the proposed mitigated design of geocellular subbase of suitable specification with a porous top finish was constructed, that the existing conditions within the RPA would not be negatively impacted. Furthermore, Goat willow is a species that tends to be generally robust to poorer growing conditions, hence not showing any physiological decline currently.

However, notwithstanding the above, given the concerns raised by the LPA in consultation with respect to the proposed percentage coverage of the new hard standing (albeit non-compacting and porous by design as detailed in the AIA report)), we propose to add the following elements:

Decompaction and soil amelioration: Prior to the laying down of the stated ground protection (as detailed within the attached documents), the subsoil within the RPA of T16 will be loosened and decompacted via Teraventing (compressed air injection), which decompacts the soil within the RPA and intern improves the growing conditions. With the injection then including a suitable mix of soil ameliorants such as mycorrhizal fungi and biochar for example (with a precise mix to be drawn up). Finally, the Teraventing probe holes will be backfilled with gravel to facilitate ongoing aeration and drainage.

Additional tree planting: Further to the LPA request for mitigation tree planting (to cover the proposed tree removals), whilst we are more than confident that T16 will not be significantly impacted in the long term (subject to the above), we propose additional tree planting (above the suggested 5 trees), to ensure that there is sufficient mitigation planting in the unlikely event that T16 fails. This then providing the same mitigation for a scenario were we instead proposed the removal of T16 as part of the application.

Overall, we are then not only very confident that T16 will be successfully retained in the long term within the proposed site layout, but have also proposed provisions for additional tree planting irrespective of T16 being retained.

4.1.15 TRDC Tree and Landscape Officer (Second comment): [No objection]

The comments from the Arboricultural Consultant are acceptable and we would not seek to refuse this application.

Please could AIA be updated with the details of the decompaction, soil amelioration and mitigation planting, with a view to include a condition to adhere to the updated AIA if the application is successful

4.1.16 Officer comment: An updated Arboricultural method statement was provided during the course of the application which the Landscape Officer has confirmed as acceptable.

4.1.17 Herts Minerals and Waste: No comments received.

4.1.18 Herts Ecology: [First Comment: Objection]

Summary of advice: “Insufficient information to determine application.”

The planning officer should either:
1. Refuse the applicant or advise it is withdrawn or,
2. Request further information from the applicant and re-consult the Ecology Service (LEADS) when it is furnished.

Comments and recommended Conditions and Informatives: The site is 0.32ha of species poor modified grassland, bramble scrub, scattered trees, native species rich hedgerow with trees and developed land. The projects proposals are to construct 6 new industrial units, ancillary office space and all associated infrastructure, parking and landscaping. The site was visited in February 2026 by Beamsley Ecology to characterise the habitats present and to assess for the likelihood of protected species utilising the site.

Bats: Overall, the site could provide foraging opportunities for bats and the trees and buildings on site were examined for their potential to support roosting bats. A willow tree (T5) was identified as having features which could support roosting bats, however this tree is due to be retained. A building on site was also assessed as having low suitability to support roosting bats and in line with The Bat Conservation Trusts Good Practice Guidelines, one bat emergence survey must be commissioned. surveys to be carried out when bats are active in the summer months between May and August, or September if the weather remains warm.

Presence/absence surveys cannot be carried out or completed by condition, as bats are classified as European Protected Species and thus sufficient information is required to be submitted to the LPA prior to determination, in order 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 2017 (as amended). Consequently, without the results of these surveys and any appropriate recommendations provided as necessary, this application should not be determined on the basis of insufficient information.

Additionally, any external lighting should be designed to minimise impacts on foraging and commuting bats. This should follow the guidelines published by the ILP & BCT
and can be secured by condition:

“A lighting design strategy for bats shall be submitted to and approved in writing by the LPA. This should accurately identify the features/areas of interest and the maximal illumination of these areas that will not compromise their existing use by bats. This should be shown in suitable contour plans and charts and accord with best practice (Guidance Note 08/10: Bats and artificial lighting in the UK, (BCT & ILP, 2018.). No external lighting should be allowed to exceed these limits, unless agreed with by the LPA, either during (if important for long-term construction projects) or post-development.”

Birds: The habitats on site could provide opportunities for 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. In order to reduce the risk of an offence being committed, a precautionary approach is required, and we therefore recommend the following informative is added to any consent:

“In order to protect breeding birds, their nests, eggs and young, vegetation clearance or demolition 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.”

Other terrestrial species: The PEA report stated that the site provides negligible/low potential to support terrestrial species.

After an assessment of the application and supporting ecological documents, we have concluded that the proposals are unlikely to have any significant ecological impacts, therefore the application can be determined accordingly. However, in the unlikely event th protected species are found, we advise a precautionary approach to the works is taken and recommend the following informative is added to any permission granted for the below species:

Great crested newts, Reptiles, Badgers and other terrestrial mammals

“If European Protected Species (EPS), including great crested newts, or evidence of them, are discovered during the course of works, work must stop immediately, and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.

To avoid the killing or injuring of wildlife during development, best practice should keep any areas of grass as short as possible and any longer, ruderal vegetation should be cleared by hand. To avoid creating refugia that may be utilised by wildlife, materials should be carefully stored on-site on raised pallets and away from the boundary habitats. Any trenches on site should be covered at night or have ramps to ensure that any animals that enter can safely escape, and this is particularly important if excavations fill with water. Any open pipework with an outside diameter greater than 120mm must be covered at the end of each working day to prevent animals entering / becoming trapped.

In order to protect breeding birds, their nests, eggs and young, demolition or vegetation clearance 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."

BNG
The development is subject to mandatory biodiversity net gain, however the supplied BNG metric tool is corrupt.

Please complete the above survey and include a working version of the metric before reconsulting.

4.1.19 Officer Comment: In response to the concerns raised, a further bat survey was provided and in addition, a BNG metric tool was re-submitted. Herts Ecology have been re-consulted and the following comments received:

4.1.20 Herts Ecology: [Second comment: No objection]

Comments and recommended Conditions and Informatives

We have previously commented on this application, and our previous comments still stand. Bat emergence surveys were previously recommended, which have now been carried out. No bats were recorded emerging or entering the buildings. However, in the unlikely event that bats are found, we advise a precautionary approach to the works is taken and recommend the following informative is added to any permission granted:

"If bats or evidence of them are discovered during the course of works, work must stop immediately, and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed."

BNG- Pre Determination

Habitat Assessment: Sufficient information has been provided to allow the LPA to consider the UK habitat and habitat condition assessments provided. Based on this information I advise that the LPA can be confident that the habitat assessment is sufficient to populate the biodiversity metric.

Minimum BNG information pre- determination: A baseline map has been provided which is consistent with the habitat assessment.

The submitted metric containing the metric start page includes the completion date and the name of the person completing the metric. The metric calculation tool (Statutory metric – dated 25/03/2026) shows base line values of 0.43 Habitat Units and 0.22 Hedgerow units. The baseline habitats are consistent with the baseline habitat map and outcomes of the botanical surveys submitted. As a result, I have no reason to doubt these values.

Strategic Significance: The values for the baseline habitats have been set as low in line with government LNRS guidance.

Consequently, I advise that the minimum information requirements for BNG predetermination have been met and the application can be determined accordingly.

BNG- Determination: A net loss has been shown, and the trading rules have not been met. In line with government guidance, it would generally be inappropriate for concerns about the ability to discharge the condition to be used as a reason to refuse an application. However, the applicant should be made aware that the general biodiversity condition is a pre commencement condition and that if the applicant chooses not to address these matters prior to determination they will need to do so at the post determination stage.

BNG-Post Determination: At the biodiversity gain plan stage an updated metric will need to be submitted showing how a net gain can be delivered. This could be either by the provision of further onsite non-significant enhancements, onsite enhancements that can be secured at the post determination stage or through the use of an off-site location. As a last resort, if an off-site location cannot be found, Biodiversity Credits would need to be purchased. In this latter case the applicant must demonstrate to the satisfaction of the LPA that all other options have been fully explored and that the BNG hierarchy has been followed.

Off-site BNG: Where an off-site solution is sought, the spatial multiplier will need to be applied and, depending on the location of the provision, could require the purchase of more BU than is presently shown in the headline results. At the post determination site, the OffSite Gain summary tab should be checked to ensure that the spatial risk multiplier has been applied as this will not reflect in the headline results.

Biodiversity Gain Plan: I advise this is completed using the government template.

In order for the Biodiversity Gain Plan to be discharged it should be submitted with the following minimum information either within the body of the plan or as supporting information.

- Completed metric tool calculation that demonstrates
  - o a minimum 10% net gain achieved within the trading rules and consistent with the figures quoted within the Biodiversity Gain Plan.
  - o A fully completed start page including project details and the date the final version of the metric was completed.
  - o where off site units are being used these should be shown in the appropriate tab of the metric and the offsite gain site summary should be completed.
- Pre-development and post-development plans (showing the location of on-site habitat, the direction of north and drawn to an identified scale, Post Development Plans should be sufficient to record the location of the post determination habitats within the final metric submitted to discharge the BGP.
- f off-site units are being used, the biodiversity net gain register reference number will be required for a completed BGP,
- Proof of purchase if they're buying statutory biodiversity credits

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 25

4.2.2 No of responses received: 8 (objections)

4.2.3 Site Notice: Expiry: 27.05.2026 Press Notice: None received

4.2.4 Summary of Responses:

- Inadequate consultation
- Increase noise from vehicles, machinery and loading
- Disturbance, early mornings and evenings
- Significant concerns regarding safety, accessibility and quality of life for residents
- No footpaths for most of the road, no street lighting and a steep gradient, there have been accidents due to speeding vehicles
- The site is not suitably located; the bus is infrequent and unreliable, there are no safe walking or cycling routs
- The development will increase traffic movements
- Development would result in harm to pedestrian safety, the proximity of St Marys School heightens the safety risk
- Infrastructure not capable of further strain
- The estate is congested and residents regularly have their access blocked due to delivery vans and lorries
- Concerns that emergency vehicles will struggle to access the site
- The estate is in poor condition with deterioriating road surfaces, limited maintenance and increased use by commercial vehicles will exacerbate this
- Known sinkholes which raise concerns regarding the suitability of the land
- The development seeks to justify the proposal as grey belt, the development would result in the loss of openness
- The current use is low intensity, multiple units would materially change the visual and spatial openness of the site.
- It is not PDL- the land has been used for open storage for 30 years.
- Any work schedule for the building of the units should include working times for construction.
- Construction work will include heavy industrial piling and foundations which will create vibrations and disturbance
- Inadequate car parking
- Proper lighting should be installed on the estate as a condition.
- Construction company and new occupiers should consider a new mini bus to the site
- Green Belt site and no very special circumstances demonstrated
- The site contains woodlands, hedgerows and mature trees. The conclusion that biodiversity will not be affected is not supported by evidence or a clear BNG Assessment
- Approval will risk cumulative industrial expansion and harm the Green Belt edge.
- Further development should include traffic calming measures on Harefield Road including reducing the speed limits and discouraging HGVS from using Harefield Road and Woodcock Hill as through routes.
- Security concerns due to activity outside of working hours and a higher volume of unfamiliar vehicles accessing the site.

5 Reason for Delay

5.1 To allow time for additional information to be submitted and for consultee responses to be provided.

6 Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

In August 2026 the new National Planning Policy Framework was published. Relevant Policies to this scheme include: S3 (Presumption in favour of sustainable development), S5 (Principle of development outside settlements), CC2 (Mitigation of climate change), CC3 (Adaptation to climate change), E2 (meeting the need for business land and premises), E4 (Rural business development), L2 (Making effective use of land), GB6 (Control of development in the Green Belt), GB7 (Development which is not inappropriate in the Green Belt), DP3 (Key principles for well designed places), TR3 (Locating development in sustainable locations), TR4 (Street design, access and parking), TR6 (Assessing transport impacts), N2 (Improving the natural environment), P2 (Ground conditions), P3 (Living conditions and pollution)

6.2 The Three Rivers Local Plan

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

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP6, CP8, CP9, CP10, CP11 and CP12.

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

The Batchworth Neighbourhood Plan (2025)

6.3 Other

6.4 On 31 July 2026 the Regulation 19 Consultation opened on the Three Rivers District Council Local Plan 2026-2042 (Parts I and II). As such, weight can now be given to policies and sites contained within that Plan. The report has considered the proposal in relation to the following policies listed; however, as the new Local Plan is consultation stage, they are not detailed in full within the analysis section of the report where the existing policies have been given more weight. Relevant policies include SP2, EE1, GB1, CNZ2B, BGL1, BGL2, ENV2, ENV3, TC1M TC2M TC3 and Appendices 1, 2 and 3.

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

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

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

7 Planning Analysis

7.1 Principle of Development

7.1.1 The NPPF sets out at chapter 7 polices to enable businesses to invest, expand and adapt in a way that reflects the opportunities, challenges and characteristics of different areas, and supports long term economic growth.

7.1.2 Policy E2.1 states that substantial weight should be given to the economic benefits of proposals for commercial development which allow businesses to invest, expand and/or adapt.

7.1.3 Policy E4.2 sets out that Development proposals to meet business needs in rural areas may need to be located outside settlements and in locations that are not well served by public transport. In these circumstances,

a. Development proposals should take opportunities, where they exist, to use previously developed land, and sites that are physically well-related to existing development; and

b. The siting and design of development should be appropriate having regard to the character of its surroundings

7.1.4 In this case, the proposed development would provide three buildings to accommodate 6 new industrial units at Woodcock Hill Industrial Estate. The applicant has proposed that the buildings would be used as Class B2 (general Industrial), B8 (Storage and Distribution) and E (g) (iii) (any industrial process being a use which can be carried out without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit). Whilst the application site is not located within an allocated employment area and is outside of any settlement boundary, Policy CP6 of the Core Strategy sets out that the Council will support development which:

a) *Sustains parts of the District as attractive areas for business location:*
b) *Provides an appropriate number of jobs to meet strategic requirements*
c) *Promotes skills and learning of the local workforce*
d) *Provides for a range of small, medium and large business premises*
e) *Reinforces the south-west Herts area's existing economic clusters including film, printing and publishing, telecommunications and construction*
f) *Further develops knowledge-based industries (including high-tech manufacturing, finance and business services, computing and Research & Development, communications and media industries)*
g) *Aligns economic growth with housing growth in the area in order to balance the provision of homes and jobs and reduce out-commuting*
h) *Retains overall levels of industrial and warehousing floorspace in the District and adopts a more flexible approach to the release of office floorspace for other uses*

7.1.5 Policy CP6 states that the 'sustainable growth of the Three Rivers economy will be supported by:

Supporting economic development in rural areas where this would contribute to sustainable development objectives would be consistent in scale with the rural location and would not result in harmful effects on the environment or local communities'

7.1.6 In this case, it is emphasised that the application site is located within an existing Industrial Estate, and therefore the provision of further industrial units in this location would not be uncharacteristic. The Planning Policy Officer notes in their comments that *'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'*. It is also noted that the South West Herts Economic Study (2024) sets out that there is a shortfall in industrial space across South West Herts, and specifically notes that in addition to this shortfall in land for strategic industrial uses, there is an identified a lack of supply of land suitable for small scale industrial uses in Dacorum, Watford and Three Rivers. Consequently, it is considered that there is an identified need for this type of development within the District.

7.1.7 It is also considered that the site's location on an existing industrial estate is an appropriate location for such development. The range of uses are considered to be acceptable in principle taking into consideration the location of the site within an existing Industrial Estate. However, 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 wider area.

7.1.8 In accordance with the NPPF, substantial weight is given the to the economic benefits of the proposals, particularly given the identified need. Furthermore, having regard to the character of the site, it is considered that the requirements of NPPF E4.2 are met. Consequently, no objection is raised in principle due to the development, subject to assessment against other material considerations which shall be explored below.

7.2 Green Belt

7.2.1 The National Planning Policy Framework (NPPF) sets out that the objective of Green Belt policy is to prevent urban sprawl by keeping land permanently open.

7.2.2 The NPPF identifies the five purposes of the Green Belt which are to:

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

7.2.3 Policy GB6 of the NPPF states that Development in the Green Belt is inappropriate unless it falls within one of the categories in policy GB7. It continues "Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposed development, is clearly outweighed by other considerations. In making this assessment, substantial weight should be given to the harm to the Green Belt which would be caused, including harm to its openness".

7.2.4 Paragraph GB7 of the NPPF states the categories of development that are not inappropriate in the Green Belt. The categories are listed below in full, with those considered relevant to this assessment highlighted in bold.:

a. Development which is for agriculture, horticulture and forestry, or which is solely for nature conservation, restoration and/or enhancement;

b. The reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the original building40. In the case of proposals for a replacement building, it should be for the same use and not materially larger than the one it replaces;

c. Limited infilling in villages lying within the Green Belt;

d. Limited affordable housing for local community needs under policies set out in this Framework or the development plan (for instance, on a rural exception site);

e. The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential), which would not cause substantial harm to the openness of the Green Belt;

f. Certain other forms of development, provided the impact on the openness of the Green Belt is minimised, and there would not be a significant conflict with the Green Belt purposes. These are:

i. Mineral extraction and processing, engineering operations, and transport, electricity network, water and telecommunications infrastructure required in a Green Belt location);

ii. Development brought forward under a Community Right to Build Order or Neighbourhood Development Order;

iii. Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

iv. The provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments.

g. Development where all of the following apply

i. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

ii. There is an evidenced unmet need for the type of development proposed41;

ii. The development would be in a sustainable location, with particular reference to policy TR3 of this Framework42; and

iv. In the case of major development involving the provision of housing, the development proposed complies with policy GB8.

h. Residential or mixed-use development which would:

i. Be within reasonable walking distance of a well-connected station (applying the definitions in the glossary at Annex B);

ii. Be physically well-related to the station or the settlement within which the station is located;

iii. Be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure;

iv. Not prejudice any proposals for long-term comprehensive development in the same location; and

v. In the case of proposals for major development, comply with policy GB8

7.2.5 Policy CP11 of the Core Strategy (adopted October 2011) sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it. Policy DM2 of the Development Management Policies LDD (adopted July 2013) notes that “as set out in the NPPF, the construction of new buildings in the Green Belt is inappropriate with certain exceptions, some of which are set out below”. Relevant to this current application is a) New Buildings, which states “Within the Green Belt, except in very special circumstances, approval will not be given for new buildings other than those specified in national policy and other relevant guidance”. Policy DM2 was adopted prior to the publication of the current NPPF. However, it was adopted after the publication of the original 2012 NPPF, and the Green Belt policies in the NPPF in relation to inappropriate development are not materially different between the two. On that basis, it is considered that Policy DM2 is in accordance with the NPPF and may be afforded full weight.

7.2.6 In this case, it is considered that the proposed development can be considered under Policy GB7.1.e which relates to the redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), which would not cause substantial harm to the openness of the Green Belt. The NPPF defines previously developed land as follows:

Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed.

7.2.7 The application site is a rectangular piece of land which sits to the rear of the existing Industrial Estate. At present, part of the site is utilised for the storage of containers and boats. Whilst this does not appear to benefit from full planning permission, it is clear from aerial images, that the land has been used in this way for in excess of 10 years and therefore is lawful by virtue of the passage of time. The remaining land consists of a grassed area which is enclosed from the woodland and fields beyond by significant vegetation. Officers are of the view that the application site is both visually and functionally related to the wider Industrial Estate. A similar approach to identify PDL was taken by an Inspector in determining an appeal at Little Green Farm, Green Street, Chorleywood (appeal reference: APP/P1940/W/25/3370028) where the following was noted:

'The appellant also states that the site comprises Previously Developed Land (PDL) and thus meets the exception to inappropriate development at Framework Paragraph 154g which allows for the partial or complete redevelopment of PDL which would not cause substantial harm to openness of the Green Belt. The Framework states that PDL comprises land which is or was occupied by a permanent structure including the curtilage of developed land and any associated fixed surface infrastructure. The location of the storage facility comprises a grassed area which includes some built form and hardstanding, This part of the site is clearly visually and functionally related to the remainder of the appeal site. I am satisfied that this land is within the curtilage of and functions as part of the engineering compound and is clearly separated from the open fields which boarded the site. I am satisfied that the site comprises PLD and that the proposal comprises the redevelopment of PDL.

7.2.8 It is therefore emphasised that given the location of the application site in relation to the wider industrial estate, and that it clearly separated from both the fields and woodland beyond, that the proposal would constitute the redevelopment of previously developed land.

7.2.9 The NPPF policy requires development not to cause **substantial harm** to the openness of the Green Belt and as such an assessment must also be made in this regard. As noted, the proposed development would introduce three new detached buildings which would form a U-Shape to the rear of the site. Part of the existing site is used for storage and as noted previously this appears to have been the case for well in excess of ten years. The other portion of the site adjacent to the southern boundary is free from built form. It is therefore acknowledged that the provision of three new buildings would result in some harm to the openness of the Green Built. However, officers consider that the proposed development would not result in substantial harm to openness, which is the test required by paragraph 154 (g) of the NPPF. The reasons for this are outlined below.

7.2.10 The new buildings would be viewed in relation to the existing built form on the wider Industrial Estate and thus the new buildings would not as an appear as an isolated form of development. The plans indicate that they would be no higher than the existing buildings and therefore these factors limit the visual prominence of the buildings within the Green Belt. It is also noted that the site is visually contained by the vegetation to the rear of the site and the woodland buffer to the south. Consequently, the development is spatially contained, again minimising any significant harm.

7.2.11 As noted, part of the site is currently used for storage, with aerial images showing this has taken place for in excess of ten year and is therefore lawful. The existing use of the land for storage is considered to be visually harmful and has resulted in an ad hoc spread of paraphernalia. At present, the LPA does not have control of this part of the site, and thus the proposed development would facilitate control to this area of the site whilst also removing visual clutter which is detrimental to the visual amenities of the area. In this case, given the site circumstances, including the location of the site and its visual containment, the current use and that the built form would be viewed in relation to the existing industrial estate, it is not considered that the development would result in substantial harm to openness.

7.2.12 The development would also include the provision of new hardstanding to accommodate parking and turning for the new buildings. Again, this would be viewed in the context of Industrial Park which is an urbanised setting, it is therefore not considered that provision of additional hardstanding would result in substantial harm to visual or spatial openness and thus no objection is raised in this regard.

7.2.13 In summary, taking into consideration the site circumstances and for the reasons outlined above, the development is considered to be an appropriate form of development which would not result in substantial harm to the openness of the Green Belt in accordance with the provisions of the NPPF, Policy CP11 of the Core Strategy and Policy DM2 of the Development Management Policies LDD.

7.3 Design, impact on character and streetscene

7.3.1 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'.

7.3.2 Policy BW CO8 of the Batchworth Neighbourhood Plan is relevant and provides design principles for B2-B8 employment uses and states the following:

1. *Where appropriate, proposals for B2-B8 led employment schemes should reflect the following principles:*
    a. *Buildings should front onto the edge of the development plot.*
    b. *The most active uses should be located on the ground floor, fronting the street.*
    c. *Service yards and loading spaces should be located to the rear of buildings. Such areas should be shared, making more efficient use of space, particularly on smaller sites.*
    d. *Multiple points of access should be provided to service yards to support operational needs and provide flexibility for future change.*
    e. *Vehicular routes to and through employment areas should be designed to minimise HGV movements, connecting with the strategic road network in as efficient away as possible.*
    f. *Public spaces and meeting places for employees should be well integrated into the development, including useable and attractive green spaces that are accessible by foot and well overlooked.*

2. *Landscaping should provide a buffer to industrial uses which might impact on the surrounding landscape or adjacent development*.

7.3.3 The proposed development would consist of 3 new buildings (providing 6 separate units) which would sit within a U-Shaped layout to the rear of the existing Woodcock Hill Industrial Estate. It is acknowledged that the development would not be in strict accordance with Policy BW CO8 given that the buildings would not front onto the edge of a plot. However, the development would sit within an already established industrial park and would front the edge of the application site. Given the site's location to the rear of the wider site, and that the buildings would be read against the backdrop of existing built form, it is not considered that they would appear incongruous. Furthermore, it is noted that the proposed development would result in some tidying up of the existing site by removing many of the existing boats/containers which are currently stored on one part of the site. Whilst Policy BW CO8 of the Batchworth Neighbourhood Plan indicates that service yards and loading spaces should be to the rear of sites, taking into consideration the nature of the site located in the rear corner of the existing industrial park, it is not considered that the current layout would result in any harm.

7.3.4 The proposed elevations indicate that the buildings would have pitched roof forms with gable ends to the flank elevations. The heights of the buildings would range from approximately 6.6m – 7.1m which is not considered to be excessive and would reflect the scale of existing development on the wider site. In terms of appearance, the plans indicate that they would be clad with black vertical cladding and dark green cladding to the openings. Whilst it is noted that many of the buildings on the site are finished in brick, given the location of the buildings to the rear, and the nature of their uses, it is not considered that that the use of cladding would result in a visually prominent form of development. It is considered necessary to add a condition requiring full details of the colour of the cladding to be agreed in writing.

7.3.5 As set out, the buildings would sit within a U-Shaped layout to the rear of the existing Industrial Estate with hardstanding to the front of the buildings. Whilst the proposals would therefore result in an increase in hardstanding, given the use of the site, it is not considered that this would be uncharacteristic or incongruous and thus no objections are raised. Full details of surfacing materials can also be reserved via a condition.

7.3.6 In summary, given the location of the site on an existing industrial site and the nature of the use of the wider site, it is not considered that the proposed development would result in a visually incongruous or prominent form of development. The development is considered acceptable and in accordance with Policy CP12 of the Core Strategy (adopted October 2011).

7.4 Impact on amenity of neighbours

7.4.1 Policy CP12 of the Core Strategy advises that development proposals 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 LDD is also relevant and sets out that 'the Council will refuse planning permission for development, including changes of use, which would or could give rise to polluting emissions to land, air and/or water by reason of disturbance, noise, light, smell, fumes, vibration, liquids, solids or other (including smoke, soot, ash, dust and grit) unless appropriate mitigation measures can be put in place and be permanently maintained'.

7.4.2 The proposed buildings would be constructed to the rear of the existing Industrial Estate and therefore is set away from nearby residential dwellings (over 40m from the nearest neighbouring properties to the north, and separated by intervening buildings, and over 100m to the next nearest dwelling, separated by woodland). Given the location of the site, it is not considered that the buildings would result in any adverse impact in terms of being overbearing or resulting in a loss of light.

7.4.3 With regard to the proposed use, the applicant is seeking permission for the units to be used as B2 (General Industrial), B8 (Storage and Distribution) and E (G) (III) (any industrial process being a use which can be carried out without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit). Whilst it is acknowledged that a Class B2 use (general industrial) in particular could give rise to some of the issues outlined in Policy DM9, the location of the application site would mitigate any harm in relation to nearby residents. The proposed buildings would be located in the corner of the existing Industrial Estate. The neighbouring dwellings located adjacent to the northern boundary of the site would be unlikely to experience any harm given that the buildings would be separated by existing built form on the site, with the existing built form thereby mitigating any significant harm from new development. Likewise, it is not considered that there would be any harm to the neighbours to the south due to the existing woodland in between which would effectively act as a buffer. In addition, it is not considered that the proposed use would result in harm to residents on Harefield Road given the location of the new commercial units to the rear of the site.

7.4.4 Furthermore, it is considered that the limited floorspaces for each unit is such that it would limit the scale of operations which could be undertaken at each unit, therefore further minimising any associated impacts. It is also suggested that a condition should be attached to any consent which would limit the hours of operation, therefore minimising impact to residential amenity in the wider locality. With regard to the hours of use, the applicant suggested that they would require 6am-10pm, as they considered that the proposed units would be more small scale and there would not be large quantum of freight coming to and from the site. Furthermore, the applicant notes that the rest of the estate is unrestricted in terms of access times.

7.4.5 In response to the suggested times, it is acknowledged that that many of the existing buildings within Woodcock Industrial Estate do not have any time restrictions. It is unlikely that given the modest scale of the development, that the proposed development would result in significant demonstrable harm to justify a reduction in working hours, particularly given the context of the existing use as an Industrial Estate. However, it is reasonable to suggest a reduced hours of use at the weekends and on Bank Holidays with a time suggested of 9am-5pm. Likewise, 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 It is also considered

7.4.6 It is noted that some residents have raised concerns regarding traffic movements and these concerns are acknowledged. However, the scale of the units are such that they would be unlikely to result in a significant increase in traffic movements to justify refusal. Furthermore, it is noted that the Highways Officer has not raised an objection to the level of traffic movements to and from the site and therefore it is not considered that the proposed development would result in significant harm in this regard. This matter is considered further in the relevant section below.

7.4.7 In summary, given the site location, it is considered that the proposed development would not result in significant harm to residential amenity. The development is considered acceptable and in accordance with Policy CP12 of the Core Strategy and Policy DM9 of the Development Management Policies LDD.

7.5 Contamination

7.5.1 Policy DM9 of the Development Management Policies LDD relates to contamination and pollution control. This advises the following:

The Council will refuse planning permission for development, including changes of use, which would or could give rise to polluting emissions to land, air and/or water by reason of disturbance, noise, light, smell, fumes, vibration, liquids, solids or other (including smoke, soot, ash, dust and grit) unless appropriate mitigation measures can be put in place and be permanently maintained.

And

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:

i) There will be no threat to the health of future users or occupiers of the site or neighbouring land; and

ii) There will be no adverse impact on the quality of local groundwater or surface water quality.

7.5.2 The Environment Agency have been consulted and note that the proposed development site is in an area that was previously part of a brick fields/works where soils may have been removed to an unknown depth and replaced with unspecified fill material. Therefore this may present a high risk of contamination including the presence of made ground containing potentially hazardous substances. The Environment Agency advise that contamination could be mobilised during excavation and therefore could result in pollution to controlled waters. Controlled waters are sensitive in this location as the proposed development site is within source protection zone 3 and located upon a principal aquifer. The Environment Agency has assessed the submitted supporting documents and have advised that these have demonstrated that it will be possible to manage the risks posed to controlled waters. Further detailed information will however be required prior to development taking place which the Environment Agency are satisfied can be secured via a number of conditions.

7.5.3 It is also noted that Affinity Water have been consulted and have raised no objection, however, have provided advisory information in relation to reducing groundwater pollution risks and infrastructure connections. Likewise, Thames Water have also been consulted and have raised no objection to the development. They however, have suggested conditions relating to foul water infrastructure and have also suggested an informative relating to the need to obtain a groundwater risk management permit from Thames Water.

7.5.4 It is also noted that the Environmental Health Officer has been consulted on the application and has noted that the existing on and off site uses including several potential contamination sources. However, again the Environmental Health Officer is satisfied that contaminated land matters would be able to dealt with via condition.

7.5.5 In summary, the nature of the site is acknowledged and therefore subject to conditions, the development is considered acceptable and in accordance with Policy DM9 of the Development Management Policies LDD.

7.6 <u>Transport and Highways</u>

7.6.1 Policy TR3 of the NPPF sets out:

a. Development proposals which could generate a significant amount of movement, in the context of the area within which they would be situated, should be in locations that are sustainable (or which can be made so, taking into account planned improvements, including any provided for as part of the development itself). This means the location should limit the need to travel, particularly by private car, and offer a genuine choice of transport modes for residents and users, unless the nature of the development would make this impractical.

e. In rural areas, opportunities to improve walking, wheeling, cycling and public transport and enhance the connectivity of an area should be taken where they exist and can be supported by the development proposed.

7.6.2 Policy TR6.4 sets out that:

Development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion

7.6.3 Policy CP10 of the Core Strategy is relevant to the assessment of this application and requires development to demonstrate that it will provide a safe and adequate means of access.

7.6.4 It is noted that a number of comments have been received from neighbours regarding the impact of the development on the safety of the adjacent highway, particularly noting the narrow nature of Woodcock Hill and the unsuitability of the road network in this location for accommodating larger vehicles. Hertfordshire County Council as Highway Authority (HCC) have been consulted, and have raised no objection to the development in relation to the safety of the existing access or on the basis of the impact on the road network. Whilst the comments from neighbours are acknowledged, given that there is no objection from HCC in relation to the concerns raised, it would be very difficult to substantiate a reason for refusal on these grounds.

7.6.5 Many of the objections also raise concerns regarding the location of the site and that it is unsustainable. Comments note the lack of footways on the Woodcock Hill. As part of the proposals, the applicant is proposing accessibility enhancements and improvements to pedestrian accessibility in acknowledgement that the site is not located within a particularly sustainable location. The submitted Transport Statement sets out that the proposed development will provide the following:

- *Provide an upgrade to both bus stops on Harefield Road with new hardstanding and Kassel kerbing.*
- *Provide short footway links between the bus stops and site access.*

7.6.6 HCC originally raised concerns regarding the application considering that insufficient details were provided to demonstrate that the proposed transport and access arrangements, particularly in relation to pedestrian access were acceptable. Whilst HCC raised no objection in relation to the nature and scale of the use given the location of site within an existing industrial estate, they needed further detail to consider the overall proposals acceptable from a highways perspective. The details requested included the following:

- Details and plans of the referred to new highway footway to provide a link between to the bus stops and the site access. Any footway link would need to be demonstrated to ensure safe and suitable access for pedestrians but also retain safe and suitable access for vehicles to and from the site. Any footway link should be at least 2m wide and designed in accordance with HCC's Place & Movement Planning and Design Guidance and DfT's Inclusive Mobility.
- Details and plans of the proposed bus stop upgrades (even if shown indicatively on the plans at this stage and labelled that detailed design would be subject to full technical review as part of the section 278 technical review).
- Updated TS to state that the new footway links and bus stops upgrades would be secured via a Section 278 with HCC as Highway Authority not via a 106 contribution, which is currently stated.
- A swept path analysis / tracking plan for the maximum length of HGV that would need access to the site e.g. articulated HGV with a 16,5m length. This was flagged up at pre-application stage, however the TS only appears to show tracking for vehicle with a max length of 10.5m long refuse vehicle. The tracking should be updated to represent the largest anticipated vehicles that would need access to the site - if this is expected to be a refuse vehicle then that would need to be for a 12m long refuse vehicle, which is the size used by TRDC as refuse collection authority.

- An extent of highway plan would need to obtained to illustrate the aforementioned highways works improvements in the context of the existing extent of highway maintainable at public expense.

7.6.7 In response, the applicant provided additional information and HCC were re-consulted. HCC confirm that the details and plans in respect of swept path analysis for vehicles is acceptable and sufficient including tracking for a 16.5m long articulated HGV. The Highways Officer has also advised that the updated points in respect to the delivery mechanism for off site highway works and full technical review via the s278 are acknowledged and accepted. However, they advised that the plan in Figure 4.2 should be updated and amended to remove the suggested 1.2m wide highway footway on the north east side of carriageway/northwest side of the vehicle access. This is in acknowledgement that the extent of highway is limited on this side of the carriageway is limited and a 1.2m wide footway would not be accepted by HCC. The Highways Officer advised that a 1.5m-2m wide footway should be considered on the south west side of the carriage way to provide access to the bus stop on the western side of the carriageway accessed via pedestrian dropped kerbs and tactile/blister paving on the north east side of the carriage way. All other proposed footpaths should also be provided and labelled at 1.4m to 2m.

7.6.8 An updated highways and access plan has since been provided to address the concerns raised by HCC in respect to the proposed pedestrian footway arrangements and off site highways works. The updated proposals include a new 1.5m-2m wide footway from within the site to join the existing footway within the site to a new stretch of highway footway with an uncontrolled crossing point. The proposals also include relocating the existing bus stop and provision of an appropriate level of bus stop infrastructure improvement. The applicant would need to enter into a S28 agreement in respect to a full technical review and implementation of the off site highway works.

7.6.9 HCC confirmed in their initial comments that they raise no objection in respect of trip generation, vehicle parking and overall internal site layout. The submitted Transport Statement sets out that the predicted peak hour trip rates are 2 vehicle movements during the morning peak and 2 during the evening peak.

7.6.10 Conditions have been suggested by HCC relating to off site highway improvement works and the submission of a construction management plan. Subject to these conditions, HCC raise no objection considering the development acceptable and in accordance with Policy CP10 of the Core Strategy.

7.7 <u>Parking</u>

7.7.1 The car parking would be provided on an area of hardstanding to be located forward of the proposed units. Access to the new units would be facilitated via the existing area of hardstanding located between two of the existing buildings. It is noted that at present this area of hardstanding is used for parking by the existing buildings with parking undertaken in an ad hoc manner. The central area of this hardstanding is free from car parking to provide adequate room for manoeuvring.

7.7.2 Appendix 5 of the Development Management Policies LDD sets out the following car parking standards for specified use classes:

Use Class	***Number of spaces***
B2 General Industry	1 space per 50 square metres (1 lorry space per 200sqm)
B8 Storage and Distribution	1 space per 75sqm gross floor area (1 lorry space per 200sqm)

Business Parks: Mixed B1/B2/B8 (Unless heavily orientated to B8 for use where individual lan use components are not known	1 space per 40 sqm floor area (1 lorry space per 200sqm)

7.7.3 The proposed development results in an internal floor space of approximately 624square metres. The parking requirements for a Class B2 use would be for a total of 13 car parking spaces. In addition, the standard requires the provision for 4 lorry spaces. If the standards for mixed uses are used, then the parking requirement would be for 15.6 spaces and for 4 lorry spaces. The plans indicate a total of 12 off street car parking spaces would be provided on site, therefore a shortfall of one space based on the standards for B2 uses or 4 spaces for a mixed use. It is noted that the plans also indicate that one loading bay would be provided for lorries.

7.7.4 In this case, the shortfall in off street car parking provision is considered to be modest, particularly when considering the standard for Class B2 uses where there would only be a shortfall of one space. Even when taking into consideration the maximum shortfall of four spaces for a mixed use, this is not considered to be so significant to result in harm to justify refusal. Given the nature of Woodcock Hill, there would be nowhere to displace vehicles to on the adjoining highway and therefore the shortfall in off street car parking provision would not result in concerns relating to the free flow of traffic on the adjoining highway. A condition shall also be attached requiring a car parking management plan to be submitted which shall include details of allocations of spaces.

7.7.5 With regard to lorry parking, there would be a shortfall of 3 spaces and during the course of the application, the applicant provided further justification. The applicant advises that the requirement for four lorry spaces does not consider the type of unit proposed, with the following noted:

‘The development comprises six small industrial units, the largest of which is 122sqm. Units of this modest scale will not attract or accommodate articulated HGV (16.5m) movements. In practice, servicing will be undertaken by light goods vehicles and occasional rigid vehicles, with any larger vehicle visiting only infrequently. As set out in the Transport Statement, the largest vehicle reasonably anticipated to serve the units is well below an articulated HGV and the servicing demand generated is correspondingly low’.

7.7.6 Taking into consideration the comments from the applicant, it is acknowledged that the units are of modest size, and therefore unlikely to be serviced by larger lorries. Consequently, it is viewed that the development would not result in significant adverse impact on car parking provision and the failure to provide lorry parking would not impact on the safety of the adjacent highway. A condition shall be attached removing permitted development rights in respect of extensions to the building or the creation of mezzanines.

7.7.7 It is considered that the proposed off street car parking provision would be acceptable and in accordance with Policy CP10 of the Core Strategy and Policy DM13 and Appendix 5 of the Development Management Policies LDD.

7.8 Trees and Landscaping

7.8.1 Policy DM6 of the Development Management Policies LDD relates to trees and landscaping. It states *that ‘development proposals on sites which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible, particularly those of local amenity or nature conservation value or hedgerows considered to meet the criteria of the Hedgerow Regulations 1997’*. In this case, there is significant vegetation located along the site boundaries. Furthermore, the southern boundary of the site is affected by Area Tree Protection Order 265.

7.8.2 The application was accompanied by an Arboricultural Impact Assessment and Method Statement, and the Council's Landscape Officer has been consulted. Initially, the Landscape Officer raised concerns noting the provision of hard surfacing within the root protection area (RPA) of T16 Willow, noting that the RPA incursion for the tree was quoted at 45%, therefore in excess of the 20% advised in BS5837. As such, the Landscape Officer raised concerns regarding the long term stability of the tree. In addition, the Landscape Officer noted the need for replacement parking and suggested that at least five replacement trees would be required.

7.8.3 In response, the applicant advised that with respect to T16, Willow, the ground conditions within the RPA showed significant compaction as a result of the existing industrial use of the site, from vehicles, and the location of shipping containers and materials. It was therefore considered that the proposed design of the geocellular subbase with a porous top finish would ensure that the existing conditions within the RPA would not be further negatively impacted upon. Furthermore, the applicant advised that the Willow is a species which tends to be generally robust to poorer growing conditions, hence that it does not show any physiological signs of decline at present. Notwithstanding this, the applicant suggested further steps to the Arboricultural Method Statement including the de-compaction of soil. The Landscape Officer has assessed the submitted response and has raised no objection to the impact on T16 but requested these steps outlined are added to the Arboricultural Method Statement. An amended method statement was provided during the course of the application which the Landscape Officer has confirmed as acceptable. As such, a condition shall be attached requiring the development to be undertaken in accordance with the approved details.

7.8.4 With regard to tree planting, the applicant has advised that they are proposing to provide additional tree planting to ensure that there is sufficient mitigation planting, having regard to the proposal to remove 6 trees. The submitted statement sets out that there is very limited space available to deliver soft landscaping but has confirmed six trees will be planted. A condition would be added to the consent requiring details of replacement planting to be submitted and approved in writing by the Local Planning Authority.

7.8.5 In summary, given that the Landscape Officer now raises no objections, the development is considered to be acceptable and in accordance with Policy DM6 of the Development Management Policies LDD.

7.9 Wildlife and Biodiversity

7.9.1 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. Policy DM6 of the Development Management Policies LDD relates to biodiversity and advise that development should not result in harm to protected species.

7.9.2 Herts Ecology were consulted with regard to the application and noted that the information provided by the applicant indicated that the site could provide foraging opportunities to support roosting bats. Likewise, a building on site was also assessed as having low suitability to support roosting bats. Consequently, Herts Ecology advised that a bat emergence survey must be provided prior to determination.

7.9.3 In response, the applicant has provided a further survey which has been reviewed by the Ecology Officer. The survey has confirmed that no bats were recorded emerging or entering the buildings. However, the Ecology Officer has advised that an informative should be added to any consent reminding the applicant of what to do should bats be found to be present during the course of the application.

7.9.4 In summary, the proposed development is considered acceptable and would not have any impact on any protected species. The development is therefore considered to be acceptable and in accordance with Policy DM6 of the Development Management Policies LDD.

7.10 Mandatory Biodiversity Net gain.

7.10.1 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 as set out in The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

7.10.2 Herts Ecology have been consulted and note that sufficient information has been provided in respect of the UK Habitat and Condition assessments. The submitted metric calculation tools shows baseline values of 0.43 habitat units and 0.22 Hedgerow units and the Ecology Officer has confirmed that they are in agreement to these values. The values for the baseline have been set as low level in accordance with the government guidance.

7.10.3 The submitted information illustrates a net loss, with the submitted Ecology Report noting that in order to achieve a net gain of 10% a total of 0.48% are biodiversity units and 0.20 linear biodiversity units will need to be achieved. Full details of how the Biodiversity net gain will be achieved have not been provided to date. Paragraph 6.7 of the Ecological Appraisal states the following:

'The required Biodiversity Net Gain can be achieved through one or a combination of the following measures:

- The purchase of biodiversity units from off site providers,
- Enhancement or creation of habitats within land under the client's control (off site) or
- Incorporation of habitat creation or enhancement within any available on site landscape areas.

7.10.4 Herts Ecology acknowledges that a net loss has been shown, however, advise that full details would be required as part of an application to discharge the mandatory BNG condition which is a pre-commencement matter. At the time of an application to discharge the condition, full details including an updated matrix would be required in order to demonstrate how the 10% net gain would be achieved. Given the constrained nature of the application site, it is considered that it would be likely that off site credits would need to be purchased. It is also noted that given the small scale nature of the site and the existing habitat conditions, it is not deemed appropriate for the LPA to seek a monitoring fee.

7.10.5 In summary, whilst the net loss of habitat units is acknowledged, Herts Ecology advise that this can be dealt with at the discharge of condition stage. As such, the development is considered acceptable with regard to mandatory biodiversity net gain and no objections are raised in this regard.

7.11 Energy Efficiency

7.11.1 Policy DP3 NPPF states that development proposals should "contribute to climate change mitigation and adaptation and the transition to net zero by using building layouts, building orientation, massing, landscaping and materials which conserve energy and other resources, and which minimise risks from the impacts of climate change including overheating".

7.11.2 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.

7.11.3 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.

7.11.4 An Energy Statement accompanies the application and uses units 3 and 4 as sample units. The report sets out that the proposed development would result in an overall improvement in regulated emissions at 33.4% above Part L 2021. This would be achieved through a variety of means, for example through their construction and by installing photovoltaics to each block. At present, these are not indicated on elevation, however, details of this could be reserved by condition.

7.12 Refuse and Recycling

7.12.1 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.

7.12.2 The proposed block plan identifies an area within the site that would be used for refuse storage. Full details of the appearance of this area have not been provided as part of the application. Therefore, at present, it is unclear as to whether this would be a covered store or if it would be open. In addition, full details of the number of bins would be required to ensure that is appropriate capacity. However, it is considered that full details of this can be reserved via a condition and as such no objection is raised in this regard.

7.13 Summary

7.13.1 Policy S5 of the NPPF sets out that only certain forms of development should be approved outside settlements, and these should be approved unless the benefits of doing so would be substantially outweighed by adverse effects, when assessed against the national decision-making policies in the NPPF. This would include S5d) the redevelopment of previously developed land. Whilst this policy does not apply to development proposals in the Green Belt, the development has been found to be appropriate development and thus S5(5) goes on state that proposals should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the NPPF, and applying paragraph 2 of the policy which states

'In applying this policy, the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.'

7.13.2 As per the assessment, it has been found that there are no unacceptable impacts arising from the development. Notwithstanding, there are notable benefits which would flow from the development, from economic benefits from construction, short and long term job creation and the level of need for the development proposed.

8 Recommendation:

That PLANNING PERMISSION IS 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:

1216-DFA-100001 P02, 1216-DFA-100002 P02, 1216-DFA-110201,

1216-DFA-110202, 1216-DFA-000003, 1216-DFA-100003, 1216-DFA-100006, 1216-DFA-100007, 1216-DFA-100008, 1216-DFA-110301, 1216-DFA-110302, 1216-DFA-110303, 1216-DFA-110304

Reason: For the avoidance of doubt, in the proper interests of planning, residential and visual amenity; in accordance with Policy CP1, CP3, CP4, CP6, CP8, C9, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2, DM4, DM6, DM8, DM9, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C3 No part of the development hereby permitted shall be first occupied until confirmation has been provided that either:-

1. Foul water Capacity exists off site to serve the development, or
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or
3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

Reason: This is a pre-commencement condition as network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. This condition is required to ensure suitable infrastructure exists in accordance with Policy CP8 of the Core Strategy (adopted October 2011).

C4 No part of the development hereby permitted shall be first occupied until confirmation has been provided that either:-

1. Surface water capacity exists off site to serve the development or
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Or
3. All Surface water network upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents. This condition is required to ensure suitable infrastructure exists in accordance with Policy CP8 of the Core Strategy (adopted October 2011).

C5 Highway Improvements – Offsite

A) Design Approval

Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the off-site highway improvement works, as indicatively shown on drawing number Figure 4.2 rev A, and including bus stops improvements at both the north and southbound bus stops, have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

B) Implementation / Construction

Prior to the first use of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy CP10 of the Core Strategy (adopted October 2011).

C6 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. Construction and storage compounds (including areas designated for car parking, loading /unloading and turning areas);

d. Siting and details of wheel washing facilities;

e. Cleaning of site entrances, site tracks and the adjacent public highway;

f. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;

g. Provision of sufficient on-site parking prior to commencement of construction activities;

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policy CP10 of the Core Strategy (adopted October 2011).

C7 No development approved by this planning permission shall commence until an updated remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the LPA. This strategy will include the following components:

1. Up to date Preliminary Risk Assessment (PRA) and conceptual model following the results of an exploratory investigation
2. A detailed site investigation scheme, based on the results from (1) to provide information for a detailed risk assessment to all receptors that may be affected, including those off-site.
3. A tiered risk assessment using the results of the site investigation referred to in (2).
4. An options appraisal including sustainability and treatability studies of the remediation measures required and how they are to be undertaken.
5. A remediation strategy and verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation

strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, mitigation, maintenance and arrangements for contingency action.

The development shall be implemented only in accordance with the approved strategy.

Reason: This is a pre-commencement condition and is required to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with Policy P2 of the NPPF. In addition, it is required to ensure the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate in line with Policy P2 of the National Planning Policy Framework and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C8 Prior to any part of the development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the LPA. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to the land and water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with Policy P2 of the National Planning Policy Framework and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C9 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the LPA. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with Policy P2of the NPPF and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C10 Piling, deep foundations or other intrusive groundworks (investigation boreholes/tunnel shafts) using penetrative method hereby permitted by the LPA may not commence until such time as a scheme has been submitted to, and approved in writing by, the LPA. The scheme shall be based on the information submitted as part of the application and, where necessary, supported by:

- Foundation Works Risk Assessment
- A conceptual site model
- Specification of the type, number and depth of proposed piles/ foundations/ dimensions of shaft/tunnel/ design of heating and cooling system
- A detailed groundwater monitoring programme including a schedule for submission of interim and final monitoring reports
- A contingency action plan including the list of potential mitigation measures that will be implemented, should unexpected changes in groundwater quality be noted as a result of decommissioning investigative boreholes works.
- Timing/phasing arrangements.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements contained in the scheme, or any details as may subsequently be agreed, in writing, by the LPA.

Reason: To ensure that the proposed Piling, deep foundations or other intrusive groundworks (investigation boreholes/tunnel shafts), does not harm groundwater resources in line with Policies P2 and P3 of the NPPF and Position Statement N7 - Hydrogeological risk assessment of The Environment Agency's approach to Groundwater Protection Position Statements.

C11 No development shall commence until a detailed surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. No drainage systems for the infiltration of surface water to the ground are permitted other than with the prior written consent of the LPA. Any proposals for such systems must be supported by an assessment of the risks to controlled waters.

The scheme shall confirm:

- whether infiltration drainage is proposed;
- where infiltration is proposed, a detailed groundwater risk assessment demonstrating that there will be no unacceptable risk to controlled waters, having regard to the presence of made ground of unknown composition and the underlying principal chalk aquifer;
- where a risk is identified, infiltration drainage shall not be permitted, and alternative drainage measures shall be implemented.

The development shall thereafter be carried out only in accordance with the approved details and completed prior to the first occupation of the development hereby permitted.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in accordance with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C12 The development hereby permitted may not commence until such time as a scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes has been first submitted to and approved in writing by the LPA. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the LPA. The scheme will need to include the following:

i. Decommissioning Plan to include intended programme/schedule of works and detailed method statement
ii. Borehole Retention Plan to include location, security and protection measures
iii. Verification report for the decommissioned boreholes to include records of:
    - the reason for abandonment.
    - groundwater level prior to decommissioning.
    - any removal of casing or attempts to remove the casing.
    - the depth, position and nature of backfill materials.
    - problems encountered during decommissioning.

Reason: To ensure that redundant boreholes are safe and secure, and do not pose an unacceptable risk of groundwater pollution or loss of water supplies in line with Policies P2 and P3 of the National Planning Policy Framework and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C13 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).

C14 The parking spaces (and loading bay) indicated on the approved plans shall be constructed and marked out in accordance with the approved plans and the hard surface shall be made of porous materials, or provision made to direct run-off water from the hard surface to a permeable or porous area or surface within the application site, prior to the to the first occupation of any part of the development hereby permitted. The parking spaces shall thereafter be kept permanently available for the use of employees and visitors to the site.

Reason: To ensure that adequate off-street parking is provided within the development so as not to prejudice the free flow of traffic and in the interests of highway safety on neighbouring highways in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013)

C15 No building shall be occupied until space for parking bicycles has been provided in accordance with the approved drawing no 1219-DFA-100003. The bicycle parking shall be permanently retained thereafter.

Reason: In order to ensure bicycle parking facilities are provided and to encourage use of sustainable modes of travel in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C16 The tree protection measures, including fencing, shall be undertaken in full accordance with Section 6 and Appendix 4 of the Arboricultural Impact Assessment and Method Statement (Reference: P179jrMAR26FV02_AIA, dated March 2026) approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

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

C17 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft landscaping (including details of replacement tree planting), which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development. The scheme shall include details of size, species, planting heights, densities and positions of any proposed soft landscaping, and a specification of all hard landscaping including locations, materials and method of drainage.

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 buildings or completion of the development, whichever is sooner.

If any existing tree shown to be retained, or the proposed soft landscaping, are removed, die, become 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 (ie 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. It is required to be a pre commencement condition to enable the LPA to assess in full the trees to be removed and the replacement landscaping requirement before any works take place, and to ensure trees to be retained are protected before any works commence in the interests of the visual amenity of the area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C18 No external lighting shall be installed on the site or affixed to any buildings on the site until a lighting design strategy for bats is submitted to and approved in writing by the LPA. This should accurately identify the features/areas of interest and the maximal illumination of these areas that will not compromise their existing use by bats. This should be shown in suitable contour plans and charts and accord with best practice (Guidance Note 08/10: Bats and artificial lighting in the UK, (BCT & ILP, 2018.). The lighting shall thereafter be installed only in accordance with the details approved by this condition.

Reason: To ensure that any protected species are safeguarded and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C19 The development shall not be first occupied until a scheme for the separate storage and collection of domestic waste has been submitted to and approved in writing by the Local Planning Authority. Details shall include siting, size and appearance of refuse and recycling facilities on the premises. The development hereby permitted shall not be occupied until the approved scheme has been implemented and these facilities should be retained permanently thereafter.

Reason: To ensure that satisfactory provision is made, in the interests of amenity and to ensure that the visual appearance of such provision is satisfactory in compliance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM10 and Appendix 2 of the Development Management Policies document (adopted July 2013).

C20 The development shall not be occupied until the energy saving and renewable energy measures detailed within the Energy Statement submitted as part of the application are incorporated into the approved development.

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

C21 Prior to the first occupation of the buildings, a car parking management plan shall be submitted to and approved in writing by the Local Planning Authority. The Parking Management Plan shall include details regarding the allocation of parking bays. The development shall be implemented in accordance with the approved details.

Reason: To minimise danger, obstruction and inconvenience to highway users in the interests of safety in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C22 The premises shall be used as Use Classes B2/B8/E(g)iii) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose (including in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without the grant of express planning consent from the Local Planning Authority.

Reason: In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use in accordance with Policy CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD.

C23 The use of the buildings including deliveries to and from the buildings.202 hereby permitted shall not operate other than between the hours of 0600-2200 Mondays to Fridays (inclusive) and between the hours of 0900-1700 on Saturdays, Sundays and Bank Holidays.

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

C24 Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 and the provisions of Part 7 of Schedule 2 of the Town and Country (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no enlargement or additional floor space within any building hereby permitted shall be made (including the creation of mezzanines).

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

8.1 Informatives

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

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by 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.

I2 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

I3 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.

I4 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.

I5 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 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

I6 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. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site, then the appropriate monitoring and remediation methods will need to be undertaken.

For any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system), a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction -guidance for consultants and contractors". There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the applicant/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.

Due to its location, Affinity Water will supply drinking water to the development in the event that it is constructed. Should planning permission be granted, the applicant is also advised to contact Developer Services as soon as possible regarding supply matters due to the increased demand for water in the area resulting from this development.

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

I7 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.