

PLANNING COMMITTEE – Thursday 22 October 2026

26/1102/FUL - Construction of entry porch; alterations to fenestration; construction of a new boundary wall and gate at THE EBURY ROOMS, EBURY ROAD, RICKMANSWORTH, HERTFORDSHIRE, WD3 1BL

Parish: Batchworth Community Council
Expiry of Statutory Period: 07.09.2026
Extension of time agreed to 23.10.2026

Ward: Rickmansworth Town
Case Officer: Lilly Varnham

Recommendation: That PLANNING PERMISSION BE APPROVED, subject to conditions.

Reason for consideration by the Committee: The application has been called in by Batchworth Community Council for the reasons set out at 4.1.2.1.

To view all documents forming part of this application please go to the following website:
[26/1102/FUL | Construction of entry porch; alterations to fenestration; construction of a new boundary wall and gate | The Ebury Rooms Ebury Road Rickmansworth Hertfordshire WD3 1BL](#)

1 Relevant Planning and Enforcement History

- 1.1 8/445/76 - Pre-school playgroup for 24 children - 17.08.1976 – Permitted
- 1.2 8/192/79 - Erection of Office block - 22.05.1979 – Refused
- 1.3 8/515/81 - Use of buildings for public worship and religious instructions - 17.09.1981 – Permitted
- 1.4 8/181/82 - Demolition of part of existing building, alterations and conversion of remainder to office use - 25.05.1982 – Permitted
- 1.5 8/592/82 - Demolition of part of existing building, alterations, and conversion of remainder to office use in non-compliance with condition 2 of planning permission No.8/181/82LB - 09.12.1982 – Permitted
- 1.6 8/966/89 - Amalgamation of two office suites varying condition No 2 - 8/592/89 - 21.12.1989
- 1.7 24/1854/PDM - Prior Approval: Conversion of existing building from commercial (Class E) into four residential units (Class C3) – 19.05.2025 – Permitted. Not Implemented.
- 1.8 26/0181/FUL- Removal of Conditions 4 (Parking Spaces) and 5(Use Classes) of planning permission reference 8/592/82 – Permitted 12.05.2026.

2 Description of Application Site

- 2.1 The application site is located at the junction between Ebury Road and Bury Lane in Rickmansworth. The site contains a two-storey office building, known as the Ebury Rooms, and an associated car parking area.
- 2.2 The principal historic part of the building faces Bury Lane and appears to have been extended at the rear which is visible from Ebury Road. The building has an exterior finish consisting of light render and facing brick. The building contains a 1920 date emblem on the elevation facing Bury Lane. The established use of the building is offices.
- 2.3 The application site is within the Rickmansworth Conservation Area.

3 Description of Proposed Development

- 3.1 This application seeks full planning permission for the construction of entry porch; alterations to fenestration; construction of a new boundary wall and gate, a bin store and a buggy storage area.
- 3.2 On the northern elevation of the building facing the Ebury Road, the existing roof overhang would be enclosed by a wall / new entrance door creating an entrance porch. On the front elevation an existing window would be replaced by a door which would overlook the existing parking area.
- 3.3 A new boundary wall and railings are proposed to a height of 1.6m along the Ebury Road frontage which would enclose the existing parking area. Behind the wall/railing a hedge is proposed, the hedge would not exceed the height of the proposed railings. A gate is proposed within the boundary providing access to the main entrance of the premises. A ramp to this entrance as well as a ramp to the pre-existing parking area, also served by a gate is proposed.
- 3.4 A bin store / buggy area is proposed within the newly enclosed frontage of the site. The bin store has a depth of approximately 1m and a width of approximately 3.5m. It would have a flat roof sitting at a total height of approximately 1.2m. the buggy store has a depth of approximately 1.5m, a width of approximately 4.25m and a height of approximately 2.2m. both structures would be constructed with timber. The buggy storey would have a dual pitched roof with two doors in the front elevation and flank fenestrations.
- 3.5 A 1m high picket fence would subdivide and enclose an area of approximately 46sqm within the pre-existing parking area.
- 3.6 It is understood that the premises is undergoing an internal conversion to operation for a day nursery following the grant of 26/0181/FUL. The change of use falls within a permitted change of use under the Town and Country Planning General Permitted Development Order 2015 (as amended) and therefore the proposed use is not considered under this application. The consideration of this application relates solely to the operational development described above.
- 3.7 Amended plans were requested during the course of the application to set the boundary treatment back from the public footway. Amendments were received during the course of the application, reducing the height of the boundary wall and railings from 1.8m to 1.6m with a 1.8m high hedge proposed to the rear of the wall/railings. The boundary treatment remains set up to the public footway. Further details in relation to the proposed bin and buggy storey were also provided during the course of the application. A Flood Risk Assessment was requested and received during the course of the application as the application site is partially located within Flood Zone 2.
- 3.8 Further amendments were received during the course of the application to indicate the location of the sites existing vehicular access from Ebury Road and clarify the height of the proposed hedging on the boundary.

4 Consultation

4.1 Statutory Consultation

4.1.1 National Grid – [No response received]

4.1.2 Batchworth Community Council – Made the following comment dated 03.08.2026

BCC strongly object to the application for the following reasons:

- Due to its situation in the conservation area, we suggest the following boundary treatment should be sustainable and green for example laurel or red robin hedging in keeping with the surrounding area. This will ensure greater security and privacy for the safeguarding of the children.
- BCC has great concerns regarding the lack of drop off and pick up points on a narrow residential road.

4.1.2.1 Batchworth Community Council – Following further consideration of the scheme, Batchworth Community Council made the following further comment dated 10.08.2026

Due to the site's location within the Conservation Area, we suggest that the proposed boundary treatment should be sustainable and green, for example, through the use of laurel or Red Robin hedging, in keeping with the surrounding area. This would also provide greater security and privacy, which is particularly important for safeguarding the children.

BCC has significant concerns regarding the lack of dedicated drop-off and pick-up points, particularly given the narrow nature of the residential road.

Having considered the comments received from residents, alongside our own strong objections, BCC would like to request that this application is called in to Committee, unless officers are minded to recommend refusal.

4.1.3 Hertfordshire County Council as Highway Authority – [Made the following comment, dated 16 July 2026]:

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:

COND1): Existing Access – Closure

Prior to the first use of the development hereby permitted the vehicular access to, and egress from, the adjoining public highway shall be limited to the accesses shown on drawing number 003 ('Proposed Site Plan') only. Any other accesses or egresses shall be permanently closed, and the footway / kerb shall be reinstated.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

COND2): Cycle Parking

Prior to the first commencement of the development hereby permitted, a scheme for the parking of cycles including details of the design, level and siting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.

Reason: To ensure the provision of cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018)

Informatives

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN1) Closure of vehicle crossover access (section 184): Where works are required within the public highway to facilitate the closure of a vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

AN2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

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

AN4) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Comments

Introduction & Context

This application concerns the construction of an entrance porch, alterations to windows and the construction of a boundary wall and gate within a historical parking area. This application follows 26/0181/FUL and is relevant in that it removes the need for the parking area just described and allows for the use of class E(f) subject to time constraints.

The site is located on Ebury Road, an unclassified local access road considered highway maintainable at public expense and subject to a 30mph speed limit. On Hertfordshire

County Council's Place and Movement network, Ebury Road is categorised as P2/M1 (e.g. Residential Street). No Public Rights of Way (according to HCC's PRoW map) or road traffic collisions (5-year rolling) have been recorded in the immediate vicinity of the site.

Access

The historical parking area has a vehicle crossover and dropped kerb comprising of 5no. flat kerbs and 2no. transition kerbs. This allows vehicles to crossover the public footway on Ebury Road to access the parking area. As confirmed by 26/0181/FUL and within the Planning and Heritage Statement (PHS) (see subtitle 'Parking') this area is now allowed to function as a garden area associated with the nursery. A 1.8m high brick wall and metal fence shall be constructed to delineate the property boundary; a 1m high picket fence will also be constructed in order to divide the area into garden and hardstanding.

The brick wall and metal fence will prevent vehicles from utilising the vehicle crossover abutting the site. It is therefore our recommendation that a condition is imposed on the planning permission to ensure the emerging redundant dropped kerb and vehicle crossover is closed off, the crossover removed and the kerbs raised in order to prevent unnecessary conflict on the highway network between pedestrians and vehicles. This is in line with Hertfordshire County Council's Place and Movement Planning & Design Guide Part 3, Chapter 9, Section 3.3 which states:

"In general, the number of crossovers should be kept to a minimum to reduce conflict with and discomfort for footway [and cycle track users]".

The removal of the need for this crossover, by virtue of the car park ceasing to be accessible, would necessitate its removal due to its redundancy. We also note that the same condition was recommended by the HA in its response to 26/0181/FUL. It was deemed that that application was only acceptable provided this condition was imposed. It was not a condition added by the Local Planning Authority at that time but we reiterate its importance.

Trip generation

The proposals shall not alter the number of trips to and from the site.

Parking

No alterations to the level of parking is proposed since those made under application 26/0181/FUL.

We are also recommending the inclusion of a cycle parking condition as the HA deems it possible within the confines of the site. This would be in line with HCC's Local Transport Policy 4 (LTP4) Policies 1, 5 & 8 and would promote an attractive alternative to a motor vehicle in line with National Planning Policy Framework paragraph 109(e) -

Surface water flood risk to the highway

Provision should be made to ensure that surface water does not flow and/or is not discharged onto land considered highway maintainable at public expense. Considering the scale of the proposals and the existing vehicle crossover shall be raised, the Highway Authority has not identified an increase in the risk of a surface water flood occurring at this location. Adequate on-site drainage should of course be pursued.

Access for emergency vehicles

Existing access for emergency vehicles and refuse collection vehicles will remain unchanged by this development.

Conclusion

HCC as Highway Authority has considered the proposal and concludes that it would not give rise to an unacceptable impact on the safety or operation of the surrounding highway. It raises no objections but recommends the inclusion of the above conditions and highway informative / advisory notes.

4.1.4 Environment Agency - [Made the following comment, 04 August 2026]:

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

Please include the below informative for any permission granted.

Informative - Environmental permit – Flood risk activities - advice to applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure
- activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

For further guidance please visit Flood risk activities: environmental permits - GOV.UK or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Advice to Local Planning Authority

Flood risk standing advice

The proposed development falls within Flood Zone 2, which is land defined in the planning practice guidance as being at risk of flooding.

We have produced a series of standard comments for LPAs and planning applicants to refer to on 'lower risk' development proposals. These comments replace direct case-by-case consultation with us. This proposed development falls within this category.

These standard comments are known as Flood Risk Standing Advice (FRSA). They can be viewed at Flood risk assessments: applying for planning permission - GOV.UK

We recommend that you view our standing advice in full before making a decision on this application. We do not need to be consulted.

Flood mitigation

The developer may wish to include measures to mitigate the impact of more extreme future flood events. Measures could include raising ground or finished floor levels and/or incorporating flood proofing measures. Further guidance on preparing properties for flooding can be found at Adapting your home or business to the risk of flooding - GOV.UK.

Advice to applicant

Signing up for flood warnings

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

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

For practical advice on preparing for a flood, visit Prepare for flooding: Protect yourself from future flooding - GOV.UK

To get help during a flood, visit What to do before or during a flood - GOV.UK

For advice on what to do after a flood, visit What to do after a flood - GOV.UK

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.

4.1.5 Conservation Officer – [Made the following comment, dated 21 August 2026]:

The Ebury Rooms Ebury Road, in Rickmansworth Conservation Area which has a Conservation Area Appraisal (CAA) adopted in 1993. The corner of Bury Lane and Ebury Road is home to several less historic and larger buildings. The Ebury Rooms is a modern building in the town centre with an existing dwarf wall as a boundary treatment along Ebury Road. The boundary treatments in the area are generally quite low and open and so in this regard, although the Ebury Rooms and boundary wall are neutral in the context of the Conservation Area, the openness of the boundary makes a low-level positive contribution to the character of the Conservation Area. Tall boundary treatments including railings do not form part of the prevailing character and a new boundary treatment has the potential to impact this character.

There has been a recent approval for use of the Site as a children's nursery. The proposal includes a dwarf wall along the boundary with brick piers and railings to a height of 1.8m along the full Ebury Road frontage. The proposals also include the enclosure of an existing roof overhang to create an entrance porch and the conversion of an existing window within the west elevation into a door.

There are no heritage concerns in relation to the new porch and openings.

A boundary treatment of this height and length directly on the street-facing boundary would detract from the existing openness and would have an overbearing and harmful impact on the character of the Conservation Area. Regarding Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposal does not preserve the character or appearance of the Conservation Area. Regarding NPPF policy HE9: 'Conservation Areas' the proposal would not conserve the open boundary which makes a positive contribution to the character and appearance of the conservation area.

It is recommended that the proposed wall and railings are set back from the street frontage to allow sufficient space for adequate hedge planting on the boundary. A well planted hedge on the boundary to a height of 1.8m would screen the fence and railings and would be more in keeping with local character. This would require robust conditions to ensure appropriate hedge screening, height and maintenance to be maintained on an ongoing basis. Subject to these conditions and design details, a revised proposal of this type could have a neutral impact on the character of the Conservation Area.

This response has been made with regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF 2026.

4.2 **Reconsultation**

4.2.1 National Grid – [No response received]

4.2.2 Batchworth Community Council – [Made following comment, dated 29 September 2026]:

BCC strongly object to the application for the following reasons:

- Due to its situation in the conservation area, we suggest the following boundary treatment should be sustainable and green for example laurel or red robin hedging in keeping with the surrounding area. This will ensure greater security and privacy for the safeguarding of the children.

- BCC has great concerns regarding the lack of drop of and pick up points on a narrow residential road.

4.2.3 Hertfordshire County Council as Highway Authority – [Made the following comment, dated 22 September 2026]:

The Highway Authority has been notified of amendments to the submitted plans. These amendments do not appear to affect the previous response made by the HA on the 31st July. As a result, we do not wish to provide any additional comments and refer back to our previous response including the highway informatives and conditions.

4.2.4 Environment Agency – [Made following comment dated 24 September 2026]:

Based upon a review of the submitted information, our position remains unchanged. We have **no objection** to the proposed development.

4.2.5 Conservation Officer – [Made the following comment, dated 2 October 2026]:

The Ebury Rooms Ebury Road, is in Rickmansworth Conservation Area which has a Conservation Area Appraisal (CAA) adopted in 1993. The corner of Bury Lane and Ebury Road is home to several less historic and larger buildings. The Ebury Rooms is a modern building in the town centre with an existing dwarf wall as a boundary treatment along Ebury Road and open car park.

This is a second heritage consultation response, the first was sent on 21st August 2026. The first heritage response raised a concern that the proposed boundary treatment would have a harmful impact on openness and the Conservation Area overall. It was recommended to set the wall and railing back from the street frontage and add a boundary hedge to screen the fence and railings and for the details to be secured by condition.

In the current revision, the wall would still be on the boundary, but the railings and brick piers are shown at 1.6m, with a proposed hedge to a height of 1.8m. Street views in both directions along Ebury Road have been provided which show it is likely to appear unobtrusive. Although the Site boundary would no longer be open, this corner of the Conservation Area does not have a distinct or special positive character. The new boundary treatment has the potential to improve the public realm with an existing hardstanding car park concealed behind the hedging. On this basis, the boundary treatment would not result in harm in heritage terms.

The enclosure of an existing roof overhang to create an entrance porch and the conversion of an existing window within the west elevation into a door were in the previous proposal and are not harmful in heritage terms. The bin and buggy store may be visible in public views but would be constructed in timber to a full height of 2.2m and would not be harmful in heritage terms.

Should the application be considered acceptable, material details should be secured through a condition. The appropriate hedge screening, height and maintenance to be maintained on an ongoing basis should also be secured through a condition. Subject to these conditions the proposal would not result in harm to the character of the Conservation Area.

This response has been made with regard to Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF 2026 Chapter 20 'Conserving and Enhancing the Historic Environment' in particular Policy HE9: 'Conservation Areas'.

5 **Public/Neighbour Consultation**

5.1.1 Number consulted: 18 No of responses received: 7 [7 objections received]

5.1.2 Site Notice Posted: 23.07.2026 Expired: 13.08.2026

5.1.3 Press Notice Published: 24.07.2026, Expired: 14.08.2026

5.1.4 Summary of Responses:

- Parking – change of use will create issues for staff and parents.
- Noise – increase levels of noise.
- Nurseries – already 5 in and around town centre.
- Unsuitable for nursery – safety concerns being situated on busy junction, no pickup or drop off.
- Safeguarding issues – visibility through boundary treatment.
- Object to removal of healthy tree. No provision for biodiversity.
- Building of local historical interest – should be respected, protected and used for more appropriate purpose.
- Highway safety.
- All windows on south elevation overlooking club members open area will be fixed, non-opening and obscure glazed and fitted with restrictors to preserve privacy of members and nursery occupants.
- Traffic – potential for conflict or accidents.
- No dedicated off-street parking. Exacerbate existing parking issues.

5.1.5 Officer Comment – Comments from the neighbours are noted. The Change of Use from Office to Nursery falls within a permitted change of use under the Town and Country Planning General Permitted Development Order 2015 (as amended) and can therefore be lawfully implemented without express planning permission from the council. This current application relates solely to the external changes to the building, therefore the assessment of this application and its impact pertain solely to these elements and will not be address the change of use.

6 Reason for Delay

6.1 Committee cycle.

7 Relevant Planning Policy, Guidance and Legislation

7.1 Legislation

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

S72 of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.

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.

The Environment Act 2021.

7.2 Planning Policy and Guidance

The Three Rivers Local Development Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development

Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies PSP1, CP1, CP6, CP8, CP9, CP10, 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 DM1, DM3, DM6, DM13 and Appendices 2 and 5.

Batchworth Neighbourhood Plan 2023-2038 (Submission Version). Relevant Policies include: BW GB1 and BW DE1.

7.3 Other

In August 2026 the NPPF was updated. Relevant policies include S3, TC2, DP3, F4, HE6 and HE9.

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. Relevant Policies include SP2, EE1, BGL1, BGL2, ENV1, DH2, TC1, TC2, Appendix 1 and Appendix 3.

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

Rickmansworth Town Centre Conservation Area Appraisal 1993.

8 Planning Analysis

8.1 Design and Impact on the Street Scene and Conservation Area

- 8.1.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness. Policy CP12 of the Core Strategy states that development should 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'conserve and enhance natural and heritage assets'.
- 8.1.2 Policy DM1 and Appendix 2 of the Development Management Policies Local Development Document (adopted July 2013) set out that development should not lead to a gradual deterioration in the quality of the built environment, have a significant impact on the visual amenities of the area.
- 8.1.3 As set out in Appendix 2, new development should not be excessively prominent in relation to adjacent properties or general street scene and should not result in a loss of light to the windows of neighbouring properties nor allow for overlooking.
- 8.1.4 The application site is located within the Rickmansworth Town Centre Conservation Area and Policy DM3 is therefore applicable. Policy DM3 sets out that within Conservation Areas development will only be permitted if the proposal is of a design and scale that preserves or enhances the character or appearance of the area, uses building materials, finishes, including those for features such as walls, railings, gates and hard surfacing that are appropriate to the local context and does not harm important views into, out of or within the Conservation Area.
- 8.1.5 Policy BW DE1 of the Batchworth Neighbourhood Plan are also relevant to the proposal and states that new development in the Batchworth Neighbourhood Plan area shall demonstrate how schemes respond to local character and, wherever possible, contribute

towards improvements to character, as indicated in the Batchworth Neighbourhood Design Code.

- 8.1.6 The proposed entrance porch would sit beneath the existing roof canopy and would not materially increase the bulk or massing beyond its enclosure. Whilst it may be visible from the streetscene, the style and appearance of the new door is considered in the context of the commercial nature of the building and would reflect the style and design of the existing openings. As such, it is not considered that this addition would result in any demonstrable harm to the character or appearance of the streetscene or Conservation Area. Similarly, the replacement of the existing window for a door in the front elevation would not principally front the Ebury Road and would instead face the pre-existing parking area serving the premises. While the opening would increase in size, as above, given the context of the building and its commercial nature, the proposed door is not considered to result in any demonstrable harm to the character of the streetscene and the fenestration changes would on balance preserve the character of the Conservation Area.
- 8.1.7 The proposed bin and buggy store would be sited within the frontage, and views are considered possible from within the wider conservation area. However, these would to some extent be screened by the proposed boundary treatment. The structures would remain single storey in nature and are considered to be modest in scale. The Conservation Officer in their response dated 02 October advised that the bin and buggy store may be visible in public views but would be constructed in timber to a full height of 2.2m and would not be harmful in heritage terms.
- 8.1.8 The proposed boundary wall and railings would be situated on the boundary with the public footway. The application site is situated on prominent corner plot on Ebury Road, and the boundary would therefore be highly visible. The Conservation Officer in their first comment (dated 21 August) raised an objection to the proposed boundary treatment, and advised that a boundary treatment of this height and length directly on the street facing boundary would detract from the existing openness and would have an overbearing and harmful impact on the character of the Conservation Area and would not conserve the open boundary which makes a position contribution to the character and appearance of the Conservation Area. It was recommended that the proposed wall and railings are set back from the street frontage to allow sufficient space for adequate hedge planting on the boundary. Following the initial objection amended plans were sought and received, the boundary treatment remains on the boundary, its height has been reduced 0.2m to a height of 1.6m and a hedge is proposed to the rear of the proposed railings/wall at a height no greater than the height of the railings. The Conservation Officer has reviewed the amended proposal and has advised that in the current revision although the site boundary would no longer be open, this corner of the Conservation Area does not have distinct or special positive character. The new boundary treatment has the potential to improve the public realm with an existing hardstanding car park concealed behind the hedging. On this basis, the boundary treatment would not result in harm in heritage terms. In addition, whilst the boundary is currently open, the immediate vicinity of the site is mixed with buildings right up to the highway pavement, the railings whilst enclosing the space would continue to allow some views through softened by the proposed hedging to the rear, introducing soft landscaping where none currently exists. While the original heritage objection has been overcome, the Conservation Officer has advised that in the event permission were to be granted material details should be secured through a condition and the appropriate hedge screening, height and maintenance to be maintained on an ongoing basis should also be secured through a condition. Subject to these conditions, the proposal would not result in harm to the character of the Conservation Area.
- 8.1.9 In summary, subject to conditions the proposed amended development would not result in any adverse harm to the character or appearance of the streetscene and would preserve the character of the Conservation Area. The development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (2013), Policy BW DE1 of

the Batchworth Neighbourhood Plan 2023-2038 (Submission Version, November 2023) and the Rickmansworth Town Centre Conservation Area Appraisal 1993 and policies HE6 and HE9 of the NPPF (2026).

8.2 Impact on amenity of neighbours

- 8.2.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels of disposition of privacy, prospect, amenity and garden space'.
- 8.2.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in the loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.
- 8.2.3 Given the nature of the proposed development, the boundary wall and railings on the perimeter of the Ebury Road frontage are not considered to give rise to any demonstrable impacts to neighbouring amenity.
- 8.2.4 The enclosed porch area within the north elevation and the new door within the front elevation are not considered to facilitate additional overlooking of any neighbouring dwelling beyond that of the existing situation. Similarly, the proposal does not result in an increased number of openings and thus would not give rise to additional overlooking of neighbouring dwellings or premises beyond that of the existing situation. It is noted that there are concerns raised with fenestrations in the southern elevation and overlooking of the commercial premises, the number of fenestrations within this elevation remain unchanged and the degree of overlooking is existing. It is therefore not considered reasonable to require these existing fenestrations to be fitted with obscured glazing or to remain fixed shut.
- 8.2.5 The proposed bin and buggy store also remain within the confines of the application site, they remain single storey in nature and are considered to be of a modest scale such that they would not result in demonstrable harm to the amenities of neighbouring occupiers.
- 8.2.6 In summary, the proposed development would not result in any adverse impact on any neighbouring dwelling and the development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policies DM1 and Appendix 2 of the Development Management Policies LDD.

8.3 Wildlife and Biodiversity

- 8.3.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.
- 8.3.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies LDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application.
- 8.3.3 The application is accompanied by a biodiversity checklist which states that no protected species or biodiversity interests will be affected as a result of the application. The Local Planning Authority is not aware of any records of protected species within the immediate area that would necessitate further surveying work being undertaken.

8.4 Mandatory Biodiversity Net Gain

- 8.4.1 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.
- 8.4.2 Policy BW GB1 of Batchworth Neighbourhood Plan 2023-2038 (Submission Version) sets out that Development proposals must manage impacts on biodiversity and secure a minimum net biodiversity gain of 10% on site, unless impractical given site constraints, as demonstrated through use of the most up-to-date version of Natural England biodiversity metric (or any successor document to this) and submission of a biodiversity net gain plan submitted as part of planning application material.
- 8.4.3 The applicant has confirmed that if permission is granted for the development to which this application relates the biodiversity gain condition would not apply because the application relates to the de-minimis exemption.

8.5 Flood Risk

- 8.5.1 Policy CP1 of the Core Strategy (adopted October 2011) recognises that taking into account the need to (b) avoid development in areas at risk of flooding will contribute towards the sustainability of the district. Policy CP12 of the Core Strategy (adopted October 2011) also acknowledges that the Council will expect development proposals to build resilience into a sites design considering climate change, for example through flood resistant design.
- 8.5.2 Policy DM8 of the Development Management Policies Local Development Document sets out that a Flood Risk Assessment (FRA) will be required for development proposals of 1ha or more in Flood Risk 1 and for proposals for all new development in Flood Zones 2 and 3; or in an area in Flood Zone 1 where proposed development or change of use to a more vulnerable class may be subject to other sources of flooding as identified in the SFRA. Land in Flood Zone 1 surrounded by areas of Zone 2 or 3 will be treated as if in the higher risk Zone and an FRA will be required to demonstrate that access and egress would be satisfactory, and that the development would not be unacceptably vulnerable during a flood period.
- 8.5.3 The application site lies within Flood Zone 2, Policy F4 of the NPPF advises that a site-specific Flood Risk Assessment should accompany all development proposals in Flood Zone 2. Policy DM8 of the Development Management Policies LDD also supports this approach as above.
- 8.5.4 A Flood Risk Assessment was provided during the course of the application, this sets out that the proposals seek minor alterations to the existing site, that a sequential test is not required as the site is for small non-residential extensions (with a footprint of less than 250sqm) and that the exception test is not required as the Class E use would be classified as a more vulnerable use, which does not require the test within Flood Zone 2.
- 8.5.5 The FRA details that the site is partly located within Flood Zone 2, with a low surface water flood risk, a very low rivers and sea flood risk, outside of a groundwater floor alter area, and at risk of reservoir flooding. The FRA concludes that the site has a medium probability of fluvial flooding and the proposal will not materially alter the existing building footprint or introduce significant areas of impermeable surfacing and will not alter existing drainage arrangements or ground conditions. As such, the conclusion of the FRA is that the development will not exacerbate flood risk on site or elsewhere. The proposals are therefore considered to be compliant with Policy DM8 of the DMP LDD and the NPPF (2026).

8.6 Trees and Landscaping

- 8.6.1 Policy DM6 of the DMP LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.
- 8.6.2 The application site is located within a Conservation Area whereby all trees are afforded protection. While there is some evidence of trees on site the submitted application form and planning statement concludes that the tree fronting the Ebury Road would not be removed to facilitate the development. Thus, the proposal is therefore considered acceptable in this regard.
- 8.7 Highways, Access and Parking
- 8.7.1 Core Strategy Policy CP10 (adopted October 2011) requires development to make adequate provision for all users, including car parking. Policy DM13 in the Development Management Policies document (adopted July 2013) states that development should make provision for parking in accordance with the Parking Standards set out within Appendix 5.
- 8.7.2 The site has an area of hardstanding currently serving a parking area, the proposal introduces a new boundary wall and railings along the Ebury Road frontage, which will enclose the current parking area. The submitted planning statement sets out that the loss of parking was previously justified by a Transport Note submitted with the previous application via 26/0181/FUL and found acceptable by the Council.
- 8.7.3 To clarify, application 26/0181/FUL was granted on 12.05.2026, the application included the removal of Condition 4 (Parking Spaces) of Planning Permission 8/592/82. The application also included a removal of Condition 5 which restricted the use of the site. The approved scheme was granted subject to conditions which allowed for a wider range of uses within Use Class E of the Uses Classes Order and condition 4 set out that in the event the site were to be operated under Use Class E(d) or E (f), and the parking area were to no longer be used for parking that this part of the site shall only be used in connection with the use of the main building and restricted to hours of 0900 – 1700 Monday to Friday (inclusive) and not at all on Saturdays, Sundays or Bank Holidays. In the case officers note that the site is in the process of being operated under Use Class E (f) and therefore this condition would bite.
- 8.7.4 In considering the previous application Hertfordshire County Councils Highway Officer did not wish to restrict the removal of the condition, subject to a condition requiring the dropped kerb be closed up. In granting the removal of the condition the LPA did not consider it necessary to require the dropped kerb be closed up, as at such time there was no application to permanently enclose the parking area and such a condition would not have met the tests within the NPPF. Officers set out within the delegated report that were a future application to bring forward changes to the parking area, which is now being proposed with this current application then a condition as suggested by the Highways Officer in this case would be imposed requiring the dropped kerb be closed up.
- 8.7.5 The loss of parking was considered at the time of the previous application; officers calculated the required provision to be 8 spaces. The site is located within Car Parking Zone 2, where a 25-50% reduction on this standard can be applied. Applying a zonal reduction would leave the site with a requirement provision of 2-4 spaces. The transport note at the time highlighted the site's sustainable location, accessibility on foot or by bike, as well as access to public transport including local bus routes and national rail services. The note sets out that the closest bus stop is located 140m (a 2-minute walk) from the site on Northway Road, providing access to bus routes R1, R2 and W1 which provide services to locations including Maple Cross, Northwood, Chorleywood and Watford. Rickmansworth Station bus stops (A, B and C) are served by additional bus routes 320, 322, 336, 724 and 725 with connections provided toward Hemel Hempstead, Bushey, Harlow, Heathrow

Airport and Stevenage. Rickmansworth Train Station is sited approximately 450m from the site providing access towards Aylesbury, Amersham and London.

- 8.7.6 While it is noted that a number of concerns have been raised in relation to highway safety and the parking arrangements, the change of use of the site is not a material planning consideration of this application, which seeks the external changes and the boundary treatment only. The change of use from office to a nursery is considered to fall within a permitted change of use, permitted by the Town and Country Planning General Permitted Development Order 2015 (as amended), therefore when considering the loss of parking officers cannot assess the standards against the change of use. In any case, the loss of parking was considered to be acceptable under application 26/0181/FUL where it was highlighted that in the vicinity of the site roads are subject to waiting restrictions. Bury Lane itself is one way, and features Double Yellow Lines, Single Yellow Lines and marked, on-street parking bays subject to enforcement (Zone A) available to permit holders, and in some areas, providing a 1 hour, no return restriction. All restrictions are in effect between Monday to Saturday, 8am to 6:30pm. Thus, any parking displaced would be subject to these local restrictions. Recognising the current position, the proposal would not result in parking that would restrict the passage of vehicles, nor impact on the safe operation of Bury Lane and junctions with it. The loss of parking would displace a small number of vehicles (2 at 25%) onto local roads; however, such displacement would be subject to these existing parking controls.
- 8.7.7 The Highways Officer has been consulted on this application who concludes that HCC as Highway Authority concludes that it would not give rise to an unacceptable impact on the safety or operation of the surrounding highway. It raises no objections but recommends the inclusion of conditions requiring the dropped kerb be closed up and cycle parking be provided. It also recommends the inclusion of highway informatives / advisory notes. On the basis of the above assessment and background to this application the proposal is considered acceptable in this regard.

9 Recommendation

- 9.1 That PLANNING PERMISSION BE GRANTED subject to the following conditions:

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

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

- C2 The development hereby permitted shall be carried out in accordance with the following approved plans: 002 REV 003, 005 REV 002, 006 REV 001, 008 REV 003, 012 REV 000, 004 REV 003, 003 REV 004, 007 REV 008, 009 REV 003, 010 REV 001, 011 REV 003, 013, 001 REV 001

Reason: For the avoidance of doubt, and in the proper interests of planning in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3, DM6, DM8 and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013), Policy BW DE1 of the Batchworth Neighbourhood Plan 2023-2038 (Submission Version), the Rickmansworth Town Centre Conservation Area Appraisal 1993 and Policies HE6 and HE9 of the NPPF 2026.

- C3 Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

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

- C4** Prior to construction of the boundary treatment alongside Ebury Road hereby approved, details of the materials of the boundary treatment and their finished colour shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall thereafter be erected only in accordance with the approved details and maintained as such thereafter.

Reason: To safeguard the character of the locality in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C5** Prior to the installation of the boundary treatment alongside Ebury Road, a scheme of soft landscaping, which shall include details of size, species, planting heights, densities and positions of the proposed hedgerow planting, the method of preparing the ground for its installation, and details of the management activities to be undertaken to enable its growth to and maintenance at a height that should not exceed the height of the railings, shall be submitted to and approved in writing by the local planning authority.

The hedgerow shall be planted before the end of the first planting and seeding season following first occupation of any part of the buildings or completion of the boundary wall, whichever is sooner.

If the proposed soft landscaping, are removed, die, become severely damaged or diseased they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (ie November to March inclusive) and maintained at a height of 1.6m

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance 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).

- C6** Within 6 MONTHS from first occupation, the vehicular access to, and egress from, the adjoining public highway [Ebury Road] shall be limited to the accesses shown on drawing number 002 REV 003 ('Existing Site Plan') only. Any other accesses or egresses shall be permanently closed, and the footway / kerb shall be reinstated.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policy CP10 of the Core Strategy (adopted October 2011), Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013) and Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

- C7** Prior to the first use of the development hereby permitted, a scheme for the parking of cycles including details of the design, level and siting of the parking area shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.

Reason: To ensure the provision of cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018)

- C8 Prior to construction of the buggy and bin store, details of the materials of these structures and their finished colour shall be submitted to and approved in writing by the Local Planning Authority. The buggy and bin store shall thereafter be erected only in accordance with the approved details and remained as such thereafter.

Reason: To safeguard the character of the locality in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

8.2 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. Fees are £145 per request (or £43 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 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:

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

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

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

infrastructure-levy).

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

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: <https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home>

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The 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.
- 14 The applicant is hereby advised to remove all site notices on or near the site that were displayed pursuant to the application.
- 15 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
 - a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - b) the planning authority has approved the plan.

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

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

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

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

Where the local planning authority considers that the permission falls within paragraph 19 of

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

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

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

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

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

- 16 The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:
- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
 - altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
 - building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
 - dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
 - diverting or impounding the flow of water or changing the level of water in a main river
 - quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
 - any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
 - any activity within 16 metres of a sea defence structure
 - activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

- 17 Closure of vehicle crossover access (section 184): Where works are required within the public highway to facilitate the closure of a vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.
- 18 Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
- 19 Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
- 110 Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.