

PLANNING COMMITTEE – 14 December 2023

23/1560/FUL: District Council Application: Construction of new building for vehicle repair at BATCHWORTH DEPOT, HAREFIELD ROAD, RICKMANSWORTH, WD3 1LU.

Parish: Batchworth Community Council Ward: Rickmansworth Town
Expiry of Statutory Period: 15 November 2023 Case Officer: Adam Ralton
Extension agreed to 22 December 2023

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: The applicant is Three Rivers District Council.

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

<https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=S0X6J7QFH1L00>

1 Relevant Planning History

- 1.1 19/1557/FUL: District Council Application: Demolition of existing two storey office building, two storey stacked portable cabins, and existing single storey sheds and stores, and the construction of a replacement two storey office building to east of site. Alterations to car and lorry parking. Approved by Planning Committee in October 2019.
- 1.2 20/1748/FUL: District Council Application: Demolition of existing two storey office building, two storey stacked portable cabins, and existing single storey sheds and stores, and the construction of a replacement single storey office building with meeting space and ancillary facilities to east of site. Alterations to car and lorry parking. Approved by Planning Committee in October 2020.
- 1.3 21/1170/FUL: Variation of Condition 2 (Approved Plans) of planning permission 20/1748/FUL: (District Council Application: Demolition of existing two storey office building, two storey stacked portable cabins, and existing single storey sheds and stores, and the construction of a replacement single storey office building with meeting space and ancillary facilities to east of site. Alterations to car and lorry parking). Variation to increase height of building. Approved by Planning Committee in June 2021.
- 1.4 21/1289/NMA: Non material amendment to planning permission 20/1748/FUL: Amendment to wording of Condition 13 and Condition 14 to allow the phased implementation of the development and submission of details pursuant to these conditions, and amendment to wording of Condition 7 to enable phased implementation of tree protection measures. Approved June 2021.
- 1.5 22/0705/NMA: Non-material amendment to planning permission 21/1170/FUL to move entrance gate on Harefield Road to the east and retain more of existing fencing, and to vary conditions 13A, 15 and 18 to allow details to be submitted within 3 months of occupation. Approved June 2022.
- 1.6 23/1562/NMA: Non material amendment to planning permission 21/1170/FUL: Alterations to approved lorry parking layout. Approved October 2023.

2 Description of Application Site

- 2.1 The wider site (as edged in blue on the site location plan) is located between part of the car park serving a Tesco store to the west, and a row of terraced dwellings to the east. The northern boundary of the wider site is marked by the Grand Union Canal, with a number of canal boat moorings present adjacent to this northern boundary. The southern boundary is

Harefield Road and is marked by fencing and a row of mature trees (primarily Hornbeam, Birch, Horse Chestnut and Lime). The site is served by two points of vehicular access from Harefield Road. The application site, as edged in red on the submitted location plan, includes the site access and the location of the building subject of this application.

- 2.2 The site has recently been redeveloped following the grant of planning permission 21/1170/FUL. The site contains a number of buildings. To the front on the eastern side is a new single storey office building, clad in timber. To the north and east of that building is hardstanding for car parking. To the immediate west of the building is a parcel of land owned and operated by Thames Water, containing a single building and a number of trees.
- 2.3 The western part of the site is currently a large expanse of hardstanding used for parking refuse and other operational vehicles. There are also a number of small sheds and stores to the perimeter of the site.
- 2.4 To the south west of the office building is a large metal clad workshop building, used for vehicle repair and maintenance. At the time of the previous applications, porta-cabins were in situ. These have since been removed from the site.
- 2.5 The north and western part of the site is within Flood Zone 2 and 3. The site is opposite a pair of Grade II Listed Buildings (21 and 25 Harefield Road).

3 Description of Proposed Development

- 3.1 This application proposes the construction of an additional building within the site, to be used for vehicle repair. The building would be constructed to the western side of the site, on an area of hardstanding and close to the position of the pre-existing two storey office building. The building would measure 10m in width, 15m in depth and have a pitched roof 8m high to the ridge and 6.2m to eaves.
- 3.2 The proposed building would be clad in single skin steel cladding and would have an insulated translucent inflated plastic coated membrane roof. It would contain roller shutters in the front elevation. The proposed building would be fixed to the ground by steel anchors into the existing ground.

4 Consultation

4.1 Statutory Consultation

4.1.1 Batchworth Community Council: [No comment]

BCC has no objection to this application.

4.1.2 Canal and River Trust:

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process.

The main issue relevant to the Trust as statutory consultee on this application is contamination. Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is to advise that suitably worded conditions are necessary to address this matter. Our advice and comments follow:

The site is set back from the Grand Union canal though it is in close proximity to the River Colne which is hydrologically linked to the canal. The Contaminated Land Solutions Phase II Environmental Investigation Report, submitted in relation to conditions imposed on the previously approved application for the redevelopment of the wider site (LPA ref:20/01748/FUL) identified concerns with Bore Hole 6 Diesel Pump(BH6), and recommended that in order to protect ground/surface water further investigation would be necessary to determine if remedial works are required.

The Trust requested that, once that investigation had been completed, this should be shared with the Trust so that we can be satisfied that the works will not cause pollution to the canal as a result of contamination finding a pathway to the water. We are not aware of that detail being submitted and the vehicle repair building now proposed would seem to be in close proximity to BH6. The findings of the further investigation and details of any remedial works required should therefore be submitted for consideration. This matter could be addressed by condition and the Trust wish to be consulted on this detail when available.

For us to monitor effectively our role as a statutory consultee, please send me a copy of the decision notice and the requirements of any planning obligation.

[OFFICER NOTE: The remediation of any pollution within the site is being dealt with on site and is controlled by planning conditions attached to planning permission 21/1170/FUL. On that basis and having regard to the comments by the Environment Agency, it is not considered reasonable or necessary to attach the requested condition to the current application.

4.1.3 Environment Agency (First response): [Object]

We object to the planning application as submitted because the risks to groundwater from the development are unacceptable. The applicant has not supplied adequate information to demonstrate that the risks posed to groundwater can be satisfactorily managed. We recommend that planning permission should be refused on this basis in line with paragraphs 183 and 184 of the National Planning Policy Framework.

Reasons

Our approach to groundwater protection is set out in the 'Environment Agency's approach to groundwater protection' (Feb 2018 V1.2). In implementing the position statements in this guidance, we will oppose development proposals that may pollute groundwater, especially where the risks of pollution are high and the groundwater asset is of high value. In this case position statement A5-Supply of adequate information applies.

Groundwater is particularly sensitive in this location because the proposed development site:

- is within Source Protection Zone 1
- is located upon a Secondary Aquifer A within the Alluvial deposits, which are underlain by a Principal Aquifer within the Chalk bedrock

To ensure development is sustainable, applicants must provide adequate information to demonstrate that the risks posed by development to groundwater can be satisfactorily managed. In this instance the applicant has failed to provide this information and we consider that the proposed development may pose an unacceptable risk of causing a detrimental impact to groundwater quality because:

- while it's noted that the proposed development includes minimal intrusive works, it is within the vicinity of a known plume of hydrocarbon contamination, located within the site boundary
- works to assess the risk posed by this plume, along with any remedial works are detailed in reports submitted under planning ref 23/0896/DIS. In response to a consultation on

this application, the Environment Agency has been unable to agree that sufficient investigation and assessment has been completed.

Until it can be demonstrated that location of the proposed structure will not prevent any further investigation and remedial works which may be required to address risks to controlled waters, the Environment Agency will maintain its objection.

Overcoming our objection

In accordance with the 'Environment Agency's approach to groundwater protection', we will maintain our objection until we receive a satisfactory information to demonstrate that proposed development will not prevent the management of hydrocarbon contamination present on the site, in order to mitigate risks to controlled waters.

4.1.3.1 Environment Agency (Second response): [No objections]

Thank you for re-consulting us on the above application on 17th November 2023, following the submission of:

- 'Proposed Scope of Works for a site at Batchworth Depot Rickmansworth for Three Rivers District Council' (prepared by, Go Contaminated Land Solutions, ref:1652-P2E-2-Scope, Rev: Draft, Oct 2023).
- 'Remediation Strategy and Verification Plan of a site at Batchworth Depot, Rickmansworth for Three Rivers District Council' (prepared by, Go Contaminated Land Solutions, ref:1652-P3E-2, 3 Nov 2023).

Environment Agency position

We have reviewed the additional information provided in the 'Propose Scope of Works' and 'Remediation Strategy and Verification Plan' (referenced above) and consider that it satisfactorily addresses our earlier concerns. The submitted information provides confidence that the construction works will not prevent further investigation works being undertaken.

Subject to the condition below, we therefore withdraw our previous objection, dated 10th October 2023 (ref: NE/2023/136225/01).

As you are aware, the discharge and enforcement of planning conditions rests with your authority. You must therefore be satisfied that the proposed condition meets the requirements of the 6 tests in paragraph 56 of the National Planning Policy Framework. Further guidance on the 6 tests is provided in the planning practice guidance (<https://www.gov.uk/guidance/use-of-planning-conditions>). Please notify us immediately if you are unable to apply our suggested condition, to allow further consideration and advice.

Condition - 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 local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason(s)

- 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 170 of the National Planning Policy Framework.
- To prevent deterioration of controlled waters.

4.1.4 Thames Water: [No objection]

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect

the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.

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

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

This site is affected by wayleaves and easements within the boundary of or close to the application site. Thames Water will seek assurances that these will not be affected by the proposed development. The applicant should undertake appropriate searches to confirm this. To discuss the proposed development in more detail, the applicant should contact Developer Services - <https://www.thameswater.co.uk/developers>

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

4.1.5 TRDC Environmental Health

No comments to make with regards to air quality or land contamination.

4.2 **Public/Neighbour Consultation**

4.2.1 Number consulted: 41

4.2.2 No of responses received: None received.

5 **Reason for Delay**

5.1 To allow for further discussions between the applicant and the Environment Agency with a view to resolving objections.

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

6.1 National Planning Policy Framework and National Planning Practice Guidance

In September 2023 the National Planning Policy Framework was updated. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

The NPPF states that ‘good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would ‘significantly and demonstrably’ outweigh the benefits.

6.2 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, 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 DM3, DM4, DM6, DM8, DM9, DM10, DM13 and Appendix 5.

6.3 Other

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 application site is an existing operational Council Depot. The development subject of this application does not change the use of the site, but proposes the construction of an additional building to be used for vehicle repair. At the current time, repairs and maintenance of council vehicles takes place in the open, adjacent to the green workshop to the west of the main office building. The proposed building would be used to provide additional covered space for these works to take place, improving working conditions, but would still remain in use only for the repair and maintenance of vehicles associated with the council rather than on any independent commercial purpose, and a condition would be attached to any grant of planning permission to ensure the building is not used for the establishment of any

separate business activities. Subject to this, there would be no change of use and no material impact on the level of activities that take place within the application site.

7.2 Impact on Character and Street Scene

7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.

7.2.1 The proposed building would be of a functional industrial design and appearance. This would reflect other buildings which already exist on the site, would reflect the use of the site, and would broadly reflect the appearance of the office building which was present on the site in a similar location prior to the site's wider redevelopment. The building would be adjacent to the common boundary with a supermarket car park. This part of the street already has a character which is separate from the surrounding residential development.

7.2.2 It is acknowledged that the site is opposite a pair of Grade II listed buildings. The proposed building would be approximately 42 metres away from the listed buildings, and separated by the solid boundary fence and car parking area serving the site. Given the site's existing character and appearance, and the separation distance, it is not considered that the proposal would result in any adverse impact on the setting of the Grade II listed buildings.

7.2.3 The proposed building would have space around it such that it would not appear cramped. It would not be excessively high and given its immediate context would not appear as a discordant addition. Overall, the proposed building would appear appropriate for its use and in the context of the site and would have no adverse impact on the character or appearance of the street scene or the wider locality.

7.3 Impact on amenity of neighbours

7.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Policy DM9 states that the council will refuse planning permission for development which would or could give rise to pollution emissions to land, air and/or water by reason of disturbance, noise, light, smell, fumes, vibration, liquids, solids or other unless appropriate mitigation measures can be put in place and permanently maintained.

7.3.2 The nearest neighbouring properties are the listed buildings to the south of the site at 42m away. The row of terraces to the east of the site are 70 metres from the proposed building. Given the separation distances and that the proposed building is to be used to contain repair and maintenance works which already occur within the site in a location closer to the neighbouring residential buildings than the proposed building, it is not considered that the proposal would result in demonstrable harm to the amenities of the occupants of any neighbouring dwelling.

7.4 Pollution, Contamination and Flood Risk

7.4.1 Policy CP1 requires all development in Three Rivers to contribute to the sustainability of the District, by minimising flood risk through the use of Sustainable Drainage Systems. Policy DM8 refers to Flood Risk and Water Resources, and states that development will only be

permitted where it would not be subject to unacceptable risk of flooding. It also states that Development in all areas should include Sustainable Drainage Systems to reduce surface water runoff.

7.4.2 The application site is within Flood Risk Zones 2 and 3a. The application proposes a non-major 'less vulnerable' building. In such a circumstance, the Environment Agency's standing advice requires floor levels to be no lower than existing or 300mm above the estimated flood level. In this instance, no alterations are proposed to the floor level or the use of the site. In the absence of this building, the site would have vehicles parked on it, and the proposal just means those vehicles would be under cover. There is no objection raised in respect of any flood risk matters.

7.4.3 In respect of pollution and contamination, the Environment Agency initially raised an objection as a result of historic pollution issues which are in the process of being remediated. The objection resulted from the EA being concerned that the siting of the proposed building may prevent any further investigation or remediation works taking place which are required by conditions attached to the planning application for the redevelopment of the site. Further information has since been provided to the EA to demonstrate that the building would not prevent further works from being undertaken. On that basis, no objections are raised in respect of pollution or contamination matters.

7.5 Vehicle Parking

7.5.1 The proposed building would occupy a space which was formerly allocated to provide parking for two refuse vehicles as part of the previous redevelopment planning permission. A non-material amendment application has recently been approved relating to that planning permission, removing parking spaces from this location and relocating them within the site, to ensure no loss of parking occurs.

7.5.2 As a result, the proposed development would not result in any increase in demand for vehicle parking and would not result in a loss of parking spaces on the site. No objections are raised in respect of DM13 and Appendix 5 of the Development Management Policies LDD.

7.6 Wildlife and Biodiversity

7.6.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive.

7.6.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application.

7.6.3 The application has been submitted with a Biodiversity Checklist which does not identify any biodiversity impacts. The building would be constructed on a parking area which has no biodiversity interest and on that basis the development is not considered to result in any biodiversity impacts.

8 Recommendation

8.1 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: 2001 Rev A, 2010, 2050, 2100, 2200.
- Reason: For the avoidance of doubt, in the proper interests of planning and in accordance with Policies PSP1, CP1, CP6, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM3, DM4, DM6, DM8, DM9, DM10, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).
- C3 The development hereby permitted shall be constructed only using the fittings set out on the following submitted documents:
- 334 Corner Base Plate
 - 334 Gable upright base plate
 - 334 Side base plate
 - Chemical Anchor Studs
- Reason: This condition is required to ensure that the development does not contribute to unacceptable levels of water pollution in line with paragraph 170 of the NPPF and Policy DM9 of the Development Management Policies LDD (July 2013).
- C4 The building hereby permitted shall not be occupied or used at any time other than for purposes incidental to the use of, and ancillary to, the use of the site as a depot and for maintenance and repair of council vehicles and it shall not be used for independent business purposes at any time.
- Reason: The creation and use of a separate and independent unit would have the potential to introduce additional amenity impacts, and impact the highways and parking considerations for the site which would require consideration alongside 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).
- C5 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until an investigation and risk assessment has been undertaken, and where remediation is necessary a remediation scheme detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation scheme shall thereafter 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 or risk to future site users or ecological systems from previously unidentified contamination sources at the development site and to prevent deterioration of controlled waters. This is in line with paragraph 170 of the NPPF and Policy DM9 of the Development Management Policies LDD (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 development maintains/improves the economic, social and environmental conditions of the District.
- 14 The applicant is advised that there are public sewers crossing or close to your development. Thames Water require that if you are planning significant work near their sewers, it is important that you minimize the risk of damage. Thames Water would need to check that your development doesn't limit repair or maintenance activities, or inhibit the services they provide in any other way. The applicant is advised to read Thames Water's guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.