

PART A

Report of: **Development Management Section Head**

Date of Committee: **21st November 2013**
Site address: **Riverside Recreation Ground, Riverside Road**
Reference Number : **13/00671/FULM**
Description of Development: Removal of the existing portable cabin, the youth shelters and the associated surfacing; the replacement of the existing junior play area and the installation of new senior play area, the installation of Multi Use Game Area (MUGA), outdoor gym and youth shelter; resurfacing of the path in Riverside Recreation Ground; the removal of the seating and the feature area on former landfill area, removal of play area, basketball and skate-park in Riverside Park; the creation of scrapes, mounds and extension of reed bed on Lairage Land. (AMENDED PLANS)

Applicant **Watford Borough Council**
Date Received: **26th June 2013**
13 week date: **2nd December 2013**
Ward: **OXHEY**

Summary

The proposal relates to Riverside Recreation Ground which is a large area of open space located on the south west side of the town centre. The site is located to the north of Riverside Road and to the east it borders Wigenhall Road and extends to Caractus Cottage View to the West. The River Colne runs through the site and dissects it in roughly an east-west direction.

The open space currently comprises playing fields, a skate board park, a basketball court, a maze and a seating area and it provides for both informal and formal recreation.

The play areas currently suffer from a degree of anti-social behaviour. It also appears that the natural habitat suffers from a degree of environmental degradation, as the area has been subject to the incursion of non- native plant species and there has been unrestricted self seeded tree growth.

The proposal is to re-design the play facility areas as well as improving the natural habitat. It is also proposed to improve the water storage capacity of the area through the extension of reed-beds and the creation of scrapes. The proposal will provide high quality play facilities, including a new Multi Use Games Area (MUGA) with all weather surface. The MUGA, as well as other play facilities, have been carefully sited so as to be visible from the adjacent highway, whilst also being at a safe distance from road and the playing field areas. The proposed play areas will provide a range of sports activities and will cater for a variety of users and different age groups. Given the all-weather surfaces for the play areas they could be used in most weather conditions thereby improving the playing facilities in the area. All existing redundant play facilities (including the maze, the skate board park and the basket ball court) will be removed and the area will be made into wild flower beds or will be landscaped.

Various parts of the site are subject to different designation in the District Plan including Green Belt, Wildlife Site, Wildlife Corridor and a Local Nature Reserve. The area is also subject to flooding. However, the proposed siting of the play facilities will not impact on the Green Belt. Further, given the proposed nature of the development and considering the fact that the proposed play facilities will replace existing facilities within the same area, the impact of the proposed development on the designated public open space is considered acceptable.

The scheme has been revised to ensure that the materials generated from the creation of the scrapes will not be placed on the Nature Local Reserve as was originally envisaged.

The proposal is considered to improve play facilities in the area whilst reducing the opportunities for anti-social behaviour. Subject to appropriate conditions, the proposal will also improve the natural habitat and result in much improved landscaping and nature conservation.

Accordingly, the Development Management Section Head recommends that planning permission be granted, subject to appropriate conditions.

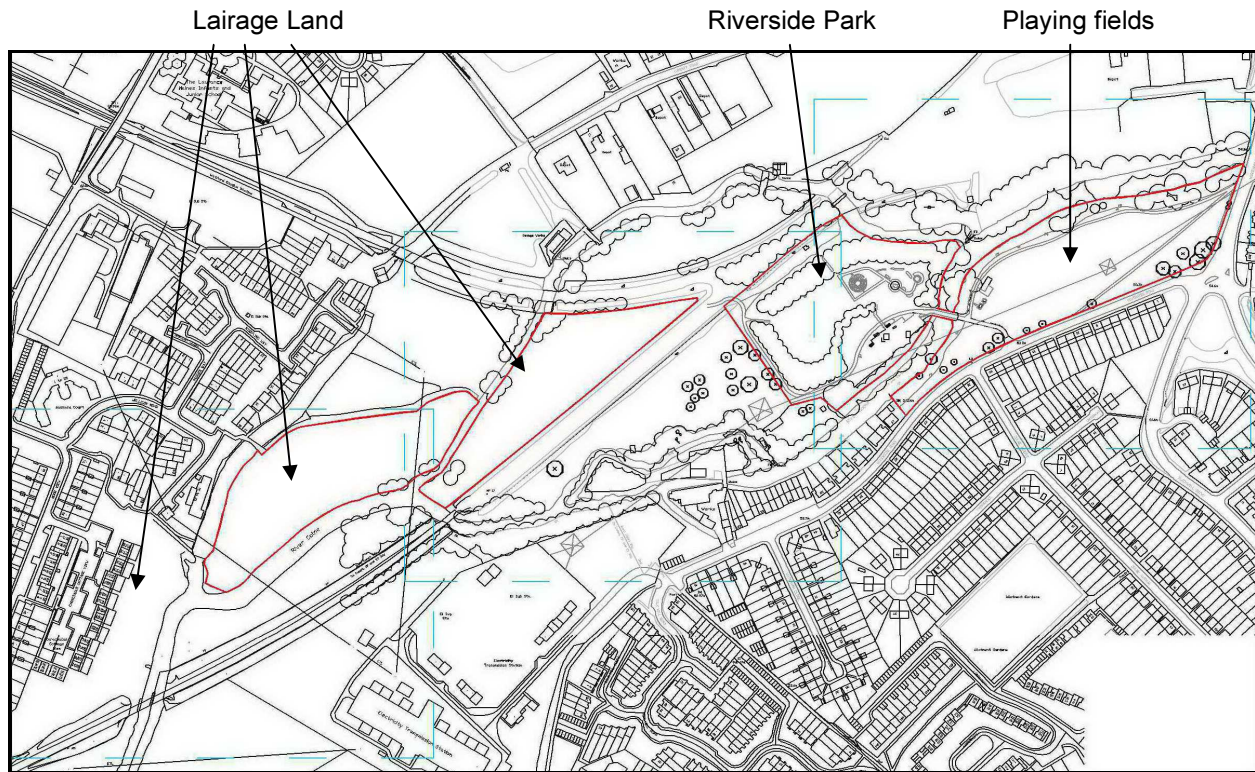
Site and surroundings

The proposal relates to a large area of open space to the southwest of the town centre. The site consist of Riverside Recreation Ground, and includes the playing fields, the former landfill site area and the Lairage Land. The River Colne runs through the area and dissects it in two. The application covers the following areas:

- a) playing fields;
- b) Riverside Park – landfill site;
- c) Riverside Park – skate park and play areas;
- d) Lairage Land.

Playing fields

The playing fields are an area of open space with River Colne to the north, Wiggshall Road to the east, and Riverside Road to the south. There are some trees within the area, the majority being along the river bank. There is a small toddler play area plus a portable cabin and two youth shelters as well as two footpaths. The majority of the area is in a flood zone. The land here is designated as public open space and is within Colne Valley Linear Park in the Watford District Plan 2000.



Location plan

Riverside Park – landfill site

This is a former landfill site area. The area comprises a crushed stone footpath network and some tarmac footpaths. It also includes a seating area and a maze.

Riverside Park – skate park

This area includes a play area skate area basketball court and car park. All these are hard surfaced and surrounded by fences or walls.

These two areas are designated as Wildlife Site and, public open space and are within Colne Valley Linear Park in the Watford District Plan 2000.

Lairage Land

There are no play facilities on this land, which generally comprises grass and trees. Part of the site is within the designated Green Belt and part is designated as a Local Nature Reserve.

Proposed development

The proposal is made up of the following elements:

Playing fields

This area has been designated for the location of the new play facilities. The existing portable cabin will be removed from the site and the location will be reinstated to grass. The play area will be refurbished and extended and in addition new facilities of an outdoor gym, a MUGA, a junior play area, a senior play area, including fencing around these areas, a youth shelter and fishing pews will be provided. This area is within Flood Zone 1, and the surface of the proposed play facilities will be porous and permeable.

It appears that the area along the river has been subject to the incursion of non-native plant species. These will be treated. The proposal will also include selective tree felling management to reduce the tree canopy above the river to allow more light in and to minimise the area of shade.

Riverside Park – landfill site

The feature seating area and the maze will be removed and the area will be seeded with a wildflower meadow mix.

Riverside Park – skate park

All the hard surfaced play areas, including the skate park area, the basketball court and the car park, and all the fences and walls will be removed. The materials arising from the creation of the scrapes will be deposited on this area creating a number of low mounds. This area will then be seeded with a wildflower meadow mix.

Lairage Land

The proposal here is to create scrapes and extend the reed-bed. The arisings are proposed to be retained on site and located in mounds on the area from where the skate park is to be removed. Improvements will be made to the habitat of the local nature reserve and this will involve selective felling of the trees.

Planning history

01/00613/DC Planning permission granted 12.10.2001 Erection of 6 floodlight columns and 2 street light columns

03/00148/FUL Planning permission granted 29.04.2003 Installation of two temporary steel buildings for use as a youth club and sports store

99/00770/DC Planning permission granted 18.07.2000 Removal of inert waste, regeneration and environmental enhancement including cycle route, wildlife study area, play areas and landscaping

09/00859/DISCON Approval granted 03.12.2009 Details submitted regarding condition 16 (land contamination survey) of planning reference 99/00175/FUL

09/00860/DISCON Approval granted 03.12.2009 Details submitted regarding condition 17 (drainage system) of planning reference 99/00175/FUL

84/00189/FUL Approval granted 17.05.1984 Erection of a 2 metre high chain link fence with lockable gates.

75/00423/DC Approval granted 20.01.1976 Use of land for tipping of road sweepings and non-organic and non-toxic materials

67/04023/FUL Planning permission granted 28.02.1967 Retention of Nissen Hut for storage

67/04022/FUL Planning permission granted 28.02.1967 Retention of storage shed

63/25639/FUL Planning permission granted 18.02.1963 Additional building within existing compound and enclosure of additional area as extension thereto

55/17644/FUL Planning permission granted 26.07.1960 Retention of two additional huts, Cadet Headquarters

54/01722/FUL Planning permission granted 23.02.1955 Use of land in connection with sea scout headquarters

Relevant policies

National Planning Policy Framework

Section 7 Requiring good design

Section 8 Promoting healthy communities

Section 11 Conserving and enhancing the natural environment

Hertfordshire Waste Core Strategy and Development Management Policies

Document 2011-2026

No relevant policies.

Hertfordshire Minerals Local Plan Review 2002-2016

No relevant policies.

Watford District Plan 2000

Policy SE7 Waste Storage, Recovery and Recycling

Policy SE22 Noise

Policy SE23 Light Pollution

Policy SE24 Unstable and Contaminated Land

Policy SE27 Flood Prevention

Policy SE36 Replacement Trees and Hedgerows

Policy SE37 Protection of Trees, Woodlands and Hedgerows

Policy SE39 Tree and Hedgerow Provision in New Development

Policy T10 Cycle Parking Standards

Policy T21 Access and Servicing

Policy T22 Car Parking Standards

Watford Local Plan Core Strategy 2006-2031

Policy SS1	Spatial Strategy
Policy SD1	Sustainable Design
Policy SD2	Water
Policy SD1	Sustainable Design
Policy SS1	Spatial Strategy
Policy UD1	Delivering High Quality Design
Policy SD3	Climate Change
Policy T2	Location of New Development
Policy T3	Improving Accessibility
Policy T4	Transport Assessments
Policy UD1	Delivering High Quality Design
Policy GI1	Green Infrastructure
Policy GI2	Biodiversity

CONSULTATIONS

Neighbour consultations

Letters were sent to 32 properties in Riverside Road and Wiggenhall Road. In addition, three site notices were displayed at locations around the site.

There has been no response to this publicity.

Statutory consultations

Sport England

No objection to the proposal.

Hertfordshire County Council (Highway Authority)

No objection to the proposal.

Environment Agency

No objection in principle, but recommends a number of conditions which are included in the recommendation part of this report.

Hertfordshire Constabulary

I am pleased to see the skate park being removed after so many years trying to do something about the anti-social behaviour etc. in the area. I have consulted local officers but to date have had no response, however as the deadline is approaching my comments are below:

- I am concerned over the lack of lighting around the MUGA and outdoor gym facility in view of the known criminality in the area and would like to see some light, but this could have the adverse effect of allowing people to play football late in to the evening causing more problems!
- The youth shelter will be hidden from view behind the MUGA and I would prefer it to be the other side of the MUGA and outdoor area and have low level solar lighting so that officers can at least see if anyone is in the shelter.
- Our criminality experience of this area is poor but at least the new facilities are out in the open so to speak, and not behind vegetation and walls. Let's hope the local residents who overlook the new facilities will keep an eye on anything untoward which may be going on in the area.
- If I get a response from local officers today I will let you know.

Arboricultural Consultant

There is no objection to the proposals for the Riverside Park improvements and no "in principle" objection to the proposed extension of the reed beds and scrapes on the Lairage Land. The main area of concern regarding the reed bed and scrapes relates to the placing of the spoil. The site has just had reptiles, and in particular slow worms, translocated from the Health Campus site and if the spoil is not placed without first checking for the presence of these creatures there are likely to be significant losses. Therefore I would wish to see the following condition added to any consent granted:

“No excavation or scraping of soil, nor the depositing of any spoil, on either the Lairage Land or Caractacus Cottage View land, shall be carried out unless supervised by an ecologist to ensure that no slow worms or any other wildlife is harmed or affected by such operations. These operations should not be carried out when such creatures are hibernating or dormant.”

I would also the following condition attached regarding trees:

“No spoil shall be deposited within the root protection area (as set out in BS 5837 Trees in Relation to design, demolition and construction – Recommendations) of any tree.”

Herts & Middlesex Wildlife Trust (HMWT)

The application involves removal of existing buildings and play areas, and construction of new play areas and facilities and other works at the Riverside Park, alongside habitat works within the Lairage Land LNR. The Lairage Land is also a Local Wildlife Site, ref. 84/025 (see information box below). The application site is adjacent to the River Colne.

Wildlife Sites Database – extract for The Lairage Land, ref. 84/025

Alluvial meadows on the floodplain of the River Colne supporting a mosaic of habitats including part damp semi-improved neutral grassland, a small area of secondary woodland planted with lime (Tilia sp.), Ash (Fraxinus excelsior) and conifers, an area of tall herbs and scrub, and a section of the River Colne and associated side channels. Species recorded in the grassland include Common Knapweed (Centaurea nigra), Common Bent (Agrostis capillaris), Crested Dog's-tail (Cynosurus cristatus), Meadow Buttercup (Ranunculus acris), Oxeye Daisy (Leucanthemum vulgare), Marsh Foxtail (Alopecurus geniculatus) and the uncommon Yellow-rattle (Rhinanthus minor). The river margins support a good diversity of flora and fauna and within the river Stream Water-crowfoot (Ranunculus penicillatus) and Yellow Water-lily (Nuphar lutea) have been recorded. Wildlife Site criteria: Mosaic; grassland indicators.

SOURCE: HMWT/HBRC

A Biodiversity Statement (Groundwork Hertfordshire) has been produced, which includes descriptions of the work proposed across four areas of the park (playing fields; Riverside Park – landfill site; Riverside Park – skate and play areas; Lairage Land). The document

also identifies the location of invasive species of plant across the site which will be treated as part of the work.

There is no indication that any ecological surveys (phase 1 habitat survey) or botanical surveys have been undertaken, including of the LNR/LWS site (although several of the documents on the Council's planning website could not be opened due to their size, which may have been ecology surveys).

HMWT has no objections to the proposed changes to the recreation facilities, footpaths, or the reseeded areas in the Riverside Park. However, due regard to potential impacts on protected and priority species is needed. If any habitat areas or features with potential to support any notable, protected or priority species are to be removed, then precautionary inspections/surveys should be undertaken and appropriate avoidance and mitigation measures implemented (on advice of appropriately experienced ecologist) to ensure no infringement of legislation. Please refer to appended information on wildlife legislation. Additionally, precautionary approaches during site works to avoid and minimise direct or indirect impacts on the River Colne and associated habitats should be followed, including pollution prevention measures.

It is presumed that no lighting will be installed within the site. As the River Colne and surrounding green space will act as a corridor for wildlife including bats and birds, use of artificial lights which could disrupt behaviour and reduce habitat connectivity should be avoided. If any lighting is needed for safety and security reasons, this should be kept to a minimum in quantity and intensity, and ensure no illumination or light spill onto trees, woodland, hedgerow, the river and marginal habitats, or any other habitat/feature which may be used as a corridor for wildlife.

I gather the habitat improvements in the Lairage Land have been recommended by the Environment Agency, and include the expansion of reedbed and the creation of scrapes, which will be sown with a wetland/wet grassland seedmix. HMWT welcomes the principle of habitat improvement works aiming to improve habitat and species diversity within the

site; however, we have a number of concerns with the current proposals which will need to be addressed.

- 1) As the site is recognised as a Local Wildlife Site, we would expect any habitat management and enhancement work to be based upon an up-to-date Wildlife Site Survey (preferably following the Hertfordshire Wildlife Sites Partnership methodology – see information box below). The most recent survey we have on record was carried out in 1996. An update survey is needed firstly to clarify whether the site continues to meet LWS criteria, and secondly to indicate what management and enhancement measures would be suitable to protect and enhance the quality and habitat interest of the site.
- 2) HMWT would object to the use of artificial seed mixes within a Local Wildlife Site. If the Lairage Land no longer meets LWS criteria as a result of the ecological interest having been lost or degraded (and unlikely to be restorable), then seeding with an artificial seed mix may not be an issue and could be positive in biodiversity terms, but we would require a Wildlife Site survey to confirm the status and condition of the site before accepting that conclusion.
- 3) HMWT would also object to any management or habitat creation proposals which are not appropriate for any particular Local Wildlife Site. Again, a survey of the Wildlife Site is needed to indicate whether the proposed habitat works are suitable (i.e. are consistent with and positively contribute towards the site's ecological interest and reason for selection).

In summary:

- Subject to suitable precautions and mitigation being implemented to avoid and reduce risks of harm to the river and its margins and any protected species which may be present within the site, we have no objection to the proposed works outside of the Local Wildlife Site area (including the new sport and recreation facilities, removal of the old play areas, maze etc and reseeded with wildflower seed mix).

- At present HMWT objects to the proposed habitat improvements for the Lairage Land LWS and LNR, as no survey of the Wildlife Site has been undertaken and no evidence provided that the proposed works will protect and improve the ecological interest and integrity of the LWS.
 - However, we support the objectives of the application and the principle of appropriate habitat management and improvement works within the LWS, so would strongly encourage the applicants to carry out a survey of the Wildlife Site, and draw up a habitat management/improvement plan based on the findings of that report, which should be agreed by the Council.
-

APPRAISAL

In accordance with s.38 of the Planning and Compulsory Purchase Act 2004, the Development Plan for Watford comprises:

- (a) the *Watford Local Plan Core Strategy 2006-31*;
- (b) the continuing “saved” policies of the *Watford District Plan 2000*;
- (c) the *Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026*; and
- (d) the *Hertfordshire Minerals Local Plan Review 2002-2016*.

The East of England Plan 2008 and the “saved” policies of the Hertfordshire Structure Plan 1991-2011 were revoked on 3rd January 2013.

Planning considerations

The main issues to be considered are:

- whether the proposal will have an acceptable impact on the Green Belt and the designated public open space and whether it would harm the openness of the area;
- whether the proposal will detract from the recreational and sport opportunity currently offered by the recreation ground;

- whether the proposal will have a detrimental impact on the designated wild life corridor, wildlife site, Local Nature Reserve or trees;
- whether the proposal will have an adverse impact on the amenities of local residents, in terms of noise, car parking and other activities associated with a playing field and anti-social behaviour.

The proposed play ground redesign has been subject to extensive consultation by the applicant prior to the submission of the application with residents and other stakeholders, including two public meetings. The applicant has taken the views of the residents into account and the play facilities have been designed in accordance with the wishes of the stakeholders. Local police officers have also been consulted over the location of the proposed games area. The applicant has noted that there has been overwhelming support for then proposals in general and clear guidance that the new play facilities should be sited in visible locations and where it can be easily accessed.

Impact on the Green Belt and the designated open space and the open character of the area

The NPPF explains that “the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”. It is also emphasised that “the Government attaches great importance to Green Belts”. At paragraph 80, the NPPF makes it clear that the Green Belt serves five purposes:

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

The NPPF further advises that a local planning authority should regard the construction of new buildings as inappropriate development in a Green Belt. There will be no play

facilities or any structure on the area designated as Green Belt. Hence, the proposal will have no adverse impact upon the openness of the Green Belt.

The proposed play facilities are considered to be an appropriate form of development in the designated public open space. The proposed play facilities and the associated railings and equipment will be used by the general public but generally by the local neighbourhood. Given that the existing structures and the associated hard surfaces which are in poor condition will be removed, the proposal will have a positive impact on the open character of the area, and hence it is to be welcomed.

Impact on sport opportunity

The proposed play facilities will provide all-weather surfaces that can be used for formal sport (i.e. organised matches/training booked by clubs and groups) as well as for informal sport and recreation. The proposal will cater for a range of sport to take place by a variety of users, in particular the younger members of the community. Given their all-weather surface they will be available for use in most weather conditions.

The location of the proposed play facilities has been subject to consultation with Hertfordshire Constabulary. Since the application has been submitted, in accordance with police advice, the youth shelter has been relocated to an area where it will also be overlooked from the public domain.

Therefore, the proposal will not reduce but will actually considerably increase the sporting opportunities provided on this site and is, therefore, to be welcomed.

Impact on trees and wildlife

Parts of the application site lies within a Wildlife Corridor, Wildlife Site and a Local Nature Reserve. Policy GI1 Green Infrastructure and Policy GI2 (Biodiversity) of the Watford Local Plan Core Strategy are therefore relevant. Given the status of the designation of the application site, it is therefore likely that it will host plant and animal species, including those which are protected by legislation. The applicant has provided a biodiversity report

which has been examined by the Herts & Middlesex Wildlife Trust. The Trust has no objection in principle to the proposed works. In particular they consider that the proposal to provide play facilities on the existing playing field will have no significant implications for the wildlife habitat. However, whilst the Trust supports the objectives of the application and the principle of appropriate habitat management and improvement works within the LWS, they would strongly encourage the applicant to carry out a survey of the Wildlife Site (in accordance with the Hertfordshire Wildlife Sites Partnership methodology) and draw up a habitat management/improvement plan based on the findings of that report, which should then be agreed by the Council and implemented as such thereafter.

The Council's Arboricultural Consultant has also commented that precautionary measures should be adopted to ensure that neither the trees nor any species are adversely affected by the proposals.

It should be noted that the original scheme involved the deposition of spoil from the scrapes on the Lairage Land. However, the scheme has now been revised and the spoil from the scrapes will be deposited on the area currently occupied by the skate park area, which is to be removed.

Appropriate conditions are recommended so that the impact on the trees will be safeguarded.

Subject to appropriate conditions and adoption of appropriate mitigating measures it is considered that the proposal will have a positive impact on the nature conservation of the area and therefore, the proposal will comply with Policies GI1 and GI2 of the adopted Core Strategy.

Impact on the amenities of local residents

The proposed MUGA will be located over 110m from the nearest dwelling and the nearest play facility will be sited about 50m from the nearest residential area. The National Play Fields Association recommends a minimum distance of 30 metres between

Neighbourhood Equipped Areas for Play and residential properties, and Sport England recommends that a MUGA should be placed a minimum of 12 metres, and ideally 30 metres, from residential properties. Consequently, the proposed location of the MUGA and play facilities considerably exceeds both NPFA and Sport England guidance.

Thus, given the distance between the play facilities and the nearest dwellings, noise associated with the use of the play areas is not likely to be a significant issue. Moreover, given the existing use of the playing fields and the presence of traffic on the adjacent highways, it is also very unlikely that the proposed play facilities would have a significant impact on the amenities of the occupiers of those nearest dwellings when compared to the noise levels already generated from existing activities associated with the playing fields and the traffic on the road.

As to parking, there is no proposal for additional parking facilities. The site is an existing playing field used for sport and recreation and for which no formal parking space is provided. There is no proposal to change the use of the site, and consequently no parking spaces are proposed to be provided. Much of the demand for the proposed play facilities will be drawn from the local community. Therefore it is not anticipated that the proposed MUGA would result in a significant increase in car journeys to the site. Hertfordshire County Council, as Highway Authority, has no objection to the proposal.

Human Rights Implications

The Local Planning Authority is justified in interfering with the applicant's Human Rights in order to alleviate any adverse effect on adjoining properties and their occupiers and on general public amenity. With regard to any infringement of third party Human Rights, these are not considered to be of such a nature and degree as to override the Human Rights of the applicant and therefore warrant refusal of planning permission.

Conclusion

The proposal will increase the range of sporting activities that can take place on the playing fields, and the facilities will be available for use in most weather conditions. The proposal will not have any adverse impact on the open character of the playing fields.

The proposal will have no impact on the Green Belt. The proposed play facilities are considered appropriate for the designated open space and will protect the open character of the area. Careful consideration has been given to the siting of the proposed play facilities, in areas which have good natural surveillance. The facilities will also be located well away from the nearest residential area in order to ensure that living conditions of local residents are protected.

Subject to appropriate conditions, the proposed environmental improvement are acceptable and are supported.

The proposed development is in accordance with the policies of the development plan and National Planning Policy Framework.

RECOMMENDATION

That planning permission be granted, subject to the following conditions:

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development shall commence until a scheme that includes the following components to deal with the risks associated with contamination of the site shall have been submitted to and approved in writing by the Local Planning Authority:

(a) a preliminary risk assessment which has identified:

- all previous uses;
- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors;
- potentially unacceptable risks arising from contamination at the site;

(b) a site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(c) the results of the site investigation and detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(d) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components shall require the express written consent of the Local Planning Authority.

Thereafter the scheme shall be implemented in accordance with the approved details.

Reason: The site is in close proximity to an historic landfill site. This has the potential to cause a risk of contamination to the groundwater. The site is located in Source Protection Zone 1, meaning that the groundwater beneath the site reaches a public drinking water abstraction point within 50 days. As such, it is vital to protect it from contamination, pursuant to Policies SE24 and SE28 of the Watford District Plan 2000.

3. 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 the developer has (i) submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and (ii) obtained written approval of that strategy from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: Site investigations may not discover all existing contamination. If unexpected contamination is encountered it must be dealt with effectively. This is to protect groundwater which is vulnerable in this location, as described in reason one and pursuant to Policies SE24 and SE28 of the Watford District Plan 2000.

4. There shall be no infiltration of surface water drainage into the ground except with the express written permission of the Local Planning Authority, which will not be given unless it has been demonstrated that there would be no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with any such permission and any details approved as part of such permission.

Reason: Infiltration of surface water would provide potential pathway for contamination at the surface to migrate into the underlying Principal Aquifer in the chalk. The design of SUDS and other infiltration systems should include

appropriate pollution prevention measures, pursuant to Policies SE24 and SE28 of the Watford District Plan 2000.

5. No trees, shrubs or hedges shall be felled, uprooted or grubbed out between 1 March and 31 August inclusive in any year unless (a) it has been established that no nesting birds or protected species are present and (b) the Local Planning Authority has been provided with evidence that this is the case.

Reason: To ensure no adverse effects to any birdlife that may have a habitat within the area, pursuant to Policies GI1 and GI2 of the Watford Local Plan Core Strategy 2006-2031.

6. No external lighting shall be installed within the site or on any building except in accordance with a detailed scheme which shall have been previously submitted to and approved in writing by the Local planning Authority.

Reason: To ensure that any external lighting safeguards the amenities of surrounding and future properties and respects the character and appearance of the approved development and will have no impact upon the wildlife in accordance with Policy SE23 of the Watford District Plan 2000 and Policies UD1, GI1 and GI2 of the Watford Local Plan Core Strategy 2006-2031.

7. No excavation or scraping of soil shall take place on any part of the site which lies to the north west of the former railway line from Watford to Rickmansworth (now the line of the Ebury Way) unless it is supervised by an ecologist to ensure that no slow worms or any other wildlife is likely to be harmed or affected by such operations. In particular, these operations shall not be carried out at any time when such creatures are hibernating or dormant. In addition, in respect of any part of the site, no spoil shall be deposited within the root protection area of any tree (as determined in accordance with the guidance in B.S. 5837 Trees in Relation to design, demolition and construction – Recommendations).

Reason: To ensure that proposal will have no adverse affect upon the trees or natural habitat of the wildlife in accordance with Policies GI1 and GI2 of the Watford Local Plan Core Strategy 2006-2031.

8. No development shall commence on any part of the site which lies to the north west of the former railway line from Watford to Rickmansworth (now the line of the Ebury Way), and no work shall be carried out to any trees within this area, until a wildlife survey has been carried out. If the survey shows that there are any protected species in this area, no further works shall be carried out until a scheme of mitigation measures (i.e. a Method Statement as required for a European Protected Species licence) has been submitted to and approved in writing by the Local Planning Authority. In addition, no development shall commence on that part of the site to which this condition applies until a landscape and biodiversity management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas and natural habitat, has been submitted to and approved in writing by the Local Planning Authority. The management plan shall be implemented as approved or in accordance with any subsequent variations which shall have been agreed in writing by the Local Planning Authority.

The management plan shall include the following elements:

- a management regime for the site;
- details of treatment of site boundaries and/or buffers around water bodies;
- detail extent and type of new planting;
- details of maintenance regimes;
- details of any new habitat created on site.

Reason: To ensure the protection of wildlife and supporting habitat and security opportunities for the enhancement of the nature conservation value of the site to

meet the requirements of Policies GI1 and GI2 of the Watford Local Plan Core Strategy 2006-2031.

9. Within two months of the date of this permission, a habitat management plan for the site shall be drawn up and submitted for the approval in writing of the Local Planning Authority. The habitat management plan shall be implemented as approved in accordance with the timescales provided for within the plan.

Reason: To protect the biodiversity of the site and meet the requirements of Policies GI1 and GI2 of the Watford Local Plan Core Strategy 2006-2031.

Informatives

1. Under the terms of the Water Resources Act 1991 and the Thames Land Drainage Byelaws 1981, the prior consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Colne which is a designated a 'main river'.
2. In dealing with this application, Watford Borough Council has considered the proposal in a positive and proactive manner having regard to the policies of the development plan as well as paragraphs 186 and 187 of the National Planning Policy Framework and other material considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended.

Drawing numbers

2608-01 rev A Clearance – sheet 1 of 3; 2608-02 rev A Clearance – sheet 2 of 3; 2608-03 rev A Clearance – sheet 3 of 3; 2608-04 rev A New works – sheet 1 of 3; 2608-05 rev A New works – sheet 2 of 3; 2608-06 rev B New works – sheet 3 of 3; 2608-07 Flood Risk Assessment; 2608-08 Site Location Plan; 2608-10 MUGA details; RETH130022-02 rev A

Indicative reed bed plan and sections; RETH130022-01 rev A Habitat creation & improvements

Case Officer: Habib Neshat
Email: habib.neshat@watford.gov.uk
Tel: 01923 278285