

**THREE RIVERS DISTRICT COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990 : SECTION 70  
PERMISSION TO DEVELOP LAND**

To : Mr David Chalmers  
32 Jocelyn Road  
Richmond  
Surrey  
TW9 2TH

Site : **Croxley Green Watercress Farm And Fisheries Rousebarn Lane Croxley Green**

Proposed Development : PART RETROSPECTIVE: Addition of watercress silt pits; proposed renewal and erection of boundary fences and gates and removal of asbestos cement and their replacement with timber housing for water pump houses and processing plant

Ref No : 09/0163/FUL

Date Received Valid: 11 February 2009

In pursuance of its powers under the above mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council as Local Planning Authority hereby **PERMITS** the development proposed by you in your application as set out above and shown on plan numbers: **018/CGWFF, 017/CGWFF 601A,**

accompanying the application.

**Consent is subject to the following conditions :-**

- 1 The fencing 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.

- 2 Prior to the erection of the perimeter fencing, details including design, type and a dark green finish of the proposed fencing shall be submitted to the Local Planning Authority for Approval in writing. The development shall only proceed in accordance with the approved details.

**Reason:** To ensure that the development preserves the openness of the Metropolitan Green Belt and meets the requirements of Policy GB1 of the Three Rivers Local Plan 1996 – 2011.

- 3 Within 2 months from the date of this permission details for the features for the silt traps shall be submitted to and approved in writing by the Local Planning Authority. The approved feature details shall thereafter be implemented in accordance with a timetable agreed with the Local Planning Authority and shall thereafter be maintained to the reasonable satisfaction of the Local Planning Authority.

**Reason:** To prevent pollution of the water environment and to meet the requirements of Policies N4 and N5 of the Three Rivers Local Plan 1996–2011.

- 4 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 submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

**Reason:** The site lies on a Major aquifer in a Source Protection Zone 3 around a potable public water abstraction borehole, and the groundwater level is very close to the surface (at the

surface in some parts of the site). These factors make the groundwater at the site very susceptible to contamination. To meet the requirements of Policies GEN1, N4, N5 and Appendix 1 of the Three Rivers Local Plan 1996–2011.

- 5 The development permitted by this planning permission shall only be carried out in accordance with the approved amended FRA prepared by A T Pepper Consulting Ltd and dated 9 February 2009 and the following mitigation measures detailed within the FRA:

1. Removing the existing site buildings as indicated on Fig 4 Site Layout. The buildings should be removed within 4 weeks of the new building becoming usable.
2. Removal of existing fencing and re-placing by a weldmesh type fence with a 200mm gap below the panels as indicated in Section 3.2 and as shown on Fig 4. Site Layout.
3. Construction of the new building is to be in accordance with the details Section 3.1 and Fig 5 to 9.

**Reason:** To reduce flood risk on the site and to reduce the risk of flooding around the site by reducing the risk of obstructing overland flood flows and to meet the requirements of Policies N4 and N5 of the Three Rivers Local Plan 1996–2011.

- 6 Prior to the commencement of development a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- management regime of the watercress beds
- details of treatment of site boundaries and/or buffers around water bodies
- detail extent and type of new planting (NB planting to be of native species)
- details of maintenance regimes
- details of any new habitat created on site

**Reason:** To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy and to meet the requirements of Policies GEN1, N1, N2, and Appendix 1 of the Three Rivers Local Plan 1996–2011.

- 7 A habitat management plan of the semi-natural areas of the site shall be drawn up and submitted to the Local Planning Authority within 2 months from the date of this permission.

**Reason:** To protect the biodiversity of the Wildlife Site and to meet the requirements of Policies GEN1, N1, N2 and Appendix 1 of the Three Rivers Local Plan 1996–2011.

- 8 No removal of trees or shrubs shall be carried out on site between 1 March and 31 August inclusive in any year.

**Reason:** To ensure that any protected species are safeguarded and to meet the requirements of Policies GEN1, N1, N2, N3 and Appendix 1 of the Three Rivers Local Plan 1996–2011.

- 9 No artificial lighting shall be installed on the site unless the express planning permission of the Local Planning Authority has been obtained.

**Reason:** To protect the amenities of the locality having regard to the Green Belt location of the site and ecology of the site and to meet the requirements of Policies GB1, N1, N2, N3, N13, GEN1 and Appendix 1 of the Three Rivers Local Plan 1996 – 2011.

- 10 Within two months from the date of this permission, a traffic management plan shall be submitted to the Local Planning Authority for approval in writing. The traffic management plan shall include details for the amount, type and times of deliveries and collection to and from the site and the mode of transport for the mode of delivery and collection from the site. The traffic

management plan shall also include details for the storage and collection of waste recovery and recycling facilities. The traffic management plan shall thereafter be implemented in accordance with the approved details.

**Reason:** To protect the amenities of the locality having regard to the Green Belt location of the site and the area as a whole and to meet the requirements of Policies GB1, T7, N10, T5 and Appendix 1 of the Three Rivers Local Plan 1996 – 2011.

- 11 The deep water basin shall not be used for the mooring of any boats other than those required in connection with the permitted agricultural use of the site.

**Reason:** To protect the amenities, character and wildlife habitats of the locality having regard to the Green Belt location of the site and its designation as a local wildlife site, and to meet the requirements of Policy T5(i) of the Three Rivers Local Plan 1996-2011.

#### INFORMATIVES :-

- 1 Subject to the imposition of conditions attached to this permission, the development would not have a significant adverse effect on the residential amenities of any neighbouring properties, the openness of the Metropolitan Green Belt, the watercourse environment, ecology, the local wildlife site or otherwise result in demonstrable harm, to such an extent to justify the refusal of planning permission. The development meets the requirements of Policies GEN1, N1, N2, N3, N4, N5, N13, N15, N16, N17, N23, GB1, D8, T5, T7, L8, L14 and Appendix 1 of the Three Rivers Local Plan 1996–2011 (Adopted 2001).
- 2 The applicant is encouraged to incorporate energy saving and water harvesting measures when implementing this permission. Information is available from the Council's Building Control Section, who may be contacted on 01923 727138, and on the website [www.threeriversbuildingcontrol.co.uk](http://www.threeriversbuildingcontrol.co.uk). Any external changes to the building which may be subsequently required should be discussed with the Council's Development Control Section prior to the commencement of work.
- 3 Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the brink of the River Gade main river. Contact Trevor Brawn on 01707 632399 for further details.
- 4 Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld. Contact Customer enquiries line on 08708 506506 for further details.
- 5 Bats require a secluded place, dry with continuous temperature in order to over winter successfully, the existing asbestos cement pump houses would provide this due to their thick concrete walls. Therefore the pump houses should be surveyed for bats prior to the commencement of development. In the event of any protected species being present on the site, works shall stop immediately and the applicant will need to contact Natural England and Herts Biological Records.
- 6 Any waste arising from these works must be removed by a Registered Carrier and disposed of at an appropriate authorised waste management licensed facility, following the waste transfer or consignment note system, whichever is appropriate. Processing of demolition arising must be in conformity with the Waste Management Licensing Regulations 1994 Schedule 3, exemption from licensing stipulations. Waste arising from demolition must be clearly segregated as to the types for disposal within the approved waste categories. Particular attention needs to be given to avoid the contamination of any asbestos as it is removed in the demolition phase so as to avoid contamination of the site from this source.
- 7 The applicant / farmer is advised to contact third party works engineer, John Kearsley (07710 175103) in order to ensure that any necessary consents are obtained and the works are

compliant with the current British Waterways' "Code of Practice for Works affecting British Waterways", due to the proximity of the site to the canal.

- 8 The applicant is advised that the Government has introduced new fees for the written discharge of conditions. Requests can be made by letter or by application form. Forms are available on our website together with further details for the new charges. The fees are payable per request and not per condition. Requests made without the appropriate fee will be returned unanswered. The fees are £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse).
- 9 The applicant is requested to provide signage within the site requesting all drivers not to turn or park vehicles in Gade Bank.

Please note that this consent grants planning permission subject to any conditions listed above. It does **NOT** overcome the need to obtain any consents under other legislation (e.g. Building Regulations and Environmental Protection) or obtain agreement under private land law (e.g. due to restrictive covenants and easements). Leaseholders are advised to consult their Landlord/Freeholder prior to carrying out any work.

Dated: 1 June 2009

Signed 

Geoff Muggenridge, Development Manager

For Director of Community and Environmental Services.

On behalf of Three Rivers District Council, Three Rivers House, Northway, Rickmansworth, Herts  
WD3 1RL