**7. 16/1218/FUL–Demolition of existing care home and construction of replacement three storey care home with additional basement, associated parking and landscaping at BURFORD HOUSE, RICKMANSWORTH ROAD, CHORLEYWOOD,RICKMANSWORTH, HERTS, WD3 5SQ for Westgate Healthcare.**

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| Parish: Chorleywood | Ward: Chorleywood North & Sarratt |
|  |  |
| Expiry Statutory Period: 29.09.2016 (agreed extension of time) | Officer: Claire Wilson |
|  | |
| Recommendation: That planning permission is granted. | |
|  | |
| Reason for consideration by the Committee: Called in by Chorleywood Parish Council | |

1 **Relevant Planning History**

1.1 8/747/84: Change of use from residential to old peoples home. Application permitted.

1.2 8/821/86: Single storey extension to Burford House. Application permitted.

1.3 8/825/88: Single storey extension to provide six additional bedrooms for old persons residential accommodation. Application permitted.

1.4 96/0013: Conversion and alterations to create new dwelling and extensions to provide office and laundry room. Application refused.

1.5 96/0606: Outline 22 bed extension and alterations for nursing home. Application refused.

1.6 97/0390: Two storey extension. Application permitted.

1.7 97/0428: Demolition of outbuilding. Application permitted.

1.8 14/2510/PREAPP: Demolition of existing care home and construction of replacement three storey care home with basement level and associated parking and landscaping. Closed.

1.9 15/1406/FUL: Demolition of existing care home and construction of replacement three storey care home with basement level and associated parking and landscaping. Application withdrawn.

2. **Description of Application Site**

2.1 The application site consists of a three storey building which is currently in use as a residential care home; providing nursing, respite and palliative care for up to 30 elderly service users. The application site is located within the Metropolitan Green Belt and within the Chorleywood Common Conservation Area. Burford House is located within the north eastern part of the Conservation Area which has a more urban character due to the development of the Rickmansworth Road. The streetscene is characterised by a mix of residential and commercial buildings of varying size and architectural design.

2.2 Burford House is a white rendered building; it has a Dutch Hipped roof form with sloping catslide roof form to the flank elevations. It has been extended with a single storey addition adjacent to the boundary with the Holt. In addition, there is a large dormer style addition to the flank elevation of the building facing towards the north western boundary. To the front of the building is a large area of hardstanding providing off street car parking. A large Corsican Pine is located within the frontage and is protected by the Three Rivers (Whitehayes, Rickmansworth Road) Tree Preservation Order 1985.

2.3 To the rear, the building has been substantially extended with a large single storey rear extension extending along the boundary with The Holt. In addition, there is a two storey side/rear extension adjacent to the north eastern boundary. The rear amenity space consists of a courtyard area between the two wings which is laid to hardstanding, with a large area of soft landscaping directly to the rear.

2.4 The neighbouring property to the south east is an existing residential dwelling known as The Holt which has been subject to significant extensions and alterations historically. The neighbouring property to the north east is The Gate Public House; the car park serving this premises adjoins the boundary with the application site.

3. **Description of Proposed Development**

3.1 The applicant is seeking full planning permission for the demolition of the existing care home and construction of a replacement three storey care home with additional basement, associated parking and landscaping.

3.2 The replacement care home would provide 46 rooms in addition to other facilities such as a coffee shop, sensory rooms, courtyard garden and cinema for residents. The proposed building would be set back from the Rickmansworth Road frontage by approximately 16.4m. It would have a maximum width of approximately 23.2m and would be set a minimum of 1.52m from the boundary with The Gate Public House car park and a maximum of 3.5m from the common boundary with The Holt. The building would have a staggered rear building line and therefore would have a maximum depth of approximately 41.8 adjacent to The Gate Public House car park and a minimum depth of approximately 38.9m adjacent to The Holt. The second floor accommodation would have a reduced width of approximately 18.3m and therefore would be set in from the boundary with The Holt by approximately 8.5m. The basement accommodation would not extend beneath the whole building and would provide ancillary facilities mainly for staff as well as a cinema and sensory room for use by residents.

3.3 In terms of design, the building would have a mansard roof form with catslide roof served by dormer windows to the front elevation. There would be two, Dutch hipped gabled projections to the front elevation. The wing adjacent to The Holt would be reduced to two storey only. The building would have a maximum height of approximately 9.7m to the top of the Dutch Hipped projections to the front elevation.

3.4 The western elevation facing The Gate Public House would also have a catslide style roof form to the flank elevation, broken up by three Dutch Hipped projections which would be subordinate to the main roof form. The elevation adjacent to The Holt would be two storey with a maximum height of 6.5m immediately adjacent to the boundary, with accommodation served by a number of obscure glazed roof lights. The elevations indicate a number of windows at second floor level facing The Holt. The windows would serve a gallery area and would be obscure glazed. The windows would be set in from the common boundary with The Holt by 17.7m. In addition four roof lights are indicated at second floor level facing The Holt.

3.5 The building would continue to be served by the existing vehicular crossover to the Rickmansworth Road frontage which would provide access to 17 car parking spaces.

3.6 To the rear of the site would be an amenity space mainly laid to lawn with seating areas provided for residents.

3.7 Amended plans have been received during the course of the application. These have set both flank elevations in from the flank boundaries of the site and reduced the elevation immediately adjacent to The Holt to two storey.

3.8 Additional information has been received during the application to address concerns raised by officers and consultees:

* + - Landscape specification report;
    - Arboricultural Appraisal and Implications Assessment;
    - Additional Planning Statement;
    - Amended drainage strategy.

4. **Consultation**

4.1 Conservation Officer: [Concerns raised regarding loss of existing building unless demonstrated that it is beyond repair/incapable of beneficial use]

NPPF: 129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.

“DM3 The Historic Built Environment

a) When assessing applications for development, there will be a presumption in favour of the retention and enhancement of heritage assets and to putting heritage assets to viable and appropriate uses to secure their future protection. Applications will only be supported where they sustain, conserve and where appropriate enhance the significance, character and setting of the asset itself and the surrounding historic environment.”

DM3 continues on Conservation Areas and demolition: Within Conservation Areas development will only be permitted if the proposal:

i) Is of a design and scale that preserves or enhances the character or appearance of the area

ii) Uses building materials, finishes, including those for features such as walls, railings, gates and hard surfacing, that are appropriate to the local context

iii) Retains historically significant boundaries, important open spaces and other elements of the area’s established pattern of development, character and historic value, including gardens, roadside banks and verges

iv) Retains and restores, where relevant, traditional features such as shop fronts, walls, railings, paved surfaces and street furniture, and improves the condition of structures worthy of retention

v) Does not harm important views into, out of or within the Conservation area

vi) Protects trees, hedgerows and other significant landscape features and incorporates landscaping appropriate to the character and appearance of the Conservation Area

vii) Results, where relevant, in the removal of unsympathetic features and the restoration or reinstatement of missing features.

d) Within Conservation Areas permission for development involving demolition or substantial demolition will only be granted if it can be demonstrated that:

i) The structure to be demolished makes no material contribution to the special

character or appearance of the area; or,

ii) It can be demonstrated that the structure is wholly beyond repair or incapable of beneficial use; or

iii) It can be demonstrated that the removal of the structure and its subsequent

replacement with a new building and/or open space would lead to the enhancement of the Conservation Area.

The proposal: Burford House is an early 20th Century building in the Chorleywood Common Conservation Area. The building is not listed or locally listed. Burford House is currently used as a care home, the original building has been significantly altered and extended on a number of occasions to facilitate this use.

I consider that Burford House is a heritage asset with many attractive Arts and Crafts features such as deep eaves on fine metal brackets (a common Arts and Crafts feature – and indeed visible on the listed building opposite), a fine and dominant T-shaped plan with small projecting gables and prominent truncated and unaltered chimneys. Burford House also has a notable deep plan with a Dutch style hipped roof. Voysey lived nearby and this entire area is strongly influenced by Arts and Crafts design as exemplified in Burford House.

This proposal is in Chorleywood Common Conservation Area Character Zone A. Burford House is prominent and opposite a number of listed buildings and consideration needs to be given to any harm to their setting by this proposal. Burford House sits comfortably in this location with adjoining houses which share the same special visual, architectural, traditional and historic characteristics. These similar characteristics are not only shared with the listed buildings but also other Arts and Crafts houses to the south.

The building is therefore of intrinsic value as an historic asset and it makes a valuable contribution to the appearance of the Conservation Area. As such the policy presumption in favour of retaining this asset needs to be carefully considered, taking into account other material considerations including the suitability of its current use. It is understood from the applicants that the current building is not fit for the current purpose. Further information should be provided to demonstrate that the existing building is not wholly beyond repair or could not be put to be better use.

In terms of the replacement building, I have a number of concerns including:

It is not of a design and scale that preserves or enhances the character or appearance of the area (i).The proposal would be significantly larger with dominant two-storey front elements above existing single storey projections. This is apparent in the proposed streetview and a comparison of existing and proposed roof plan. The proposed roof plan incorporates large areas of flat roof to accommodate this proposed very wide and uncharacteristic building.

It does not retain historically significant boundaries, important open spaces and other elements of the area’s established pattern of development, character and historic value, including gardens, roadside banks and verges. This can clearly be seen from the aerial photograph and old maps where open space synonymous with this Conservation Area is a particular characteristic. This is also referred to by my landscape colleague. (iii)

This proposal fails to retain traditional features and does not improve the condition of structures worthy of retention. (iv)

The proposal harms important views into, and within the Conservation area and does not protect trees, hedgerows and other significant landscape features. (v)

The removal of the structure and its subsequent replacement with the proposed building does not lead to the enhancement of the Conservation Area. (iii)

Conclusion: Whilst Burford House is not a listed or locally listed building, it is considered to make a valuable contribution to the Conservation Area and should be retained. This may be possible with sympathetic extensions and alterations.

However, if it can be demonstrated that the existing structure is wholly beyond repair or incapable of beneficial use (DM3) then demolition may be acceptable and a replacement building should be of a much reduced sympathetic design that preserves or enhances the character or appearance of the Conservation Area.

4.1.1 Officer comment: Additional information has been received setting out justification for the development. In addition, amendments have been received to overcome some concerns raised regarding design of the proposed building.

4.2 Landscape Officer: [Concern raised regarding potential for damage to Corsican Pine, conditions suggested if permission is granted].

I have a number of concerns about this proposal which were previously raised with regard to the withdrawn application 15/1406/FUL. This proposal does differ from the earlier one, with a reduction in the size of the proposed building allowing for more outdoor amenity space at the northern end of the site. This is to be welcomed and allows for the retention of an established Cedar tree within this space.

There are a number of Arboricultural constraints on this site, the most significant tree being a Corsican Pine at the front of the site which is protected by the Three Rivers (Whitehayes, Rickmansworth Road) Tree Preservation Order 1985. It would be usual to expect an application of this kind to be supported by an Arboricultural Impact Assessment to meet the requirements of BS:5837-2012 ‘Trees in Relation to Design Demolition and Construction’. Pre-application advice and landscape comments on 15/1406/FUL highlighted the need for these documents but they have not been provided. The only Arboricultural documents submitted are the same preliminary tree survey schedule and tree constraints plan which were submitted last year.

The protected Corsican Pine tree is approximately 6m from the existing building. The footprint of the proposed scheme will be slightly closer to the tree with three storeys and a basement below. The calculated root protection area (R.P.A.) of this tree is 13.4m. It is preferable to avoid any construction within the R.P.A. but in some circumstances it may be possible with the use of specialist foundation design. The inclusion of a basement level makes it impossible to use specialist foundation methods and even without the basement the proposal is too far within the R.P.A. for specialist foundations to be successfully used. The proposal will lead to the loss of the Pine tree.

The submitted plans indicate an intention to retain the protected Corsican Pine, however the lack of Arboricultural input means that the feasibility of successfully retaining the tree has not been considered in this proposal.

There are a number of trees just outside the site boundary within the car park of The Gate Public House. Some of these trees are close enough to the existing building to require method statements for the demolition of this part of the building. Tree protection measures would also be required to ensure that these trees were not damaged during demolition and construction. The retention of these trees is important as they offer the only screening to the three storey building which is proposed 1.5m from the boundary. It would be preferable to see the proposed building further away from this boundary so as to allow space for more substantial landscaping along this boundary. The current proposal includes no landscaping to soften this most publicly visible part of the building.

In its current form I am unable to support this proposal and recommend refusal.

Reason: The existing trees/hedgerows/shrubs represent an important public visual amenity in the area and should be protected in accordance with the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD/

4.2.1 Officer Comment: Following the Landscape Officer’s objection, an Arboricultural Appraisal and Implications Assessment and a Landscape Specification have been submitted. The following comments have now been received from the Landscape Officer:

4.2.2 Further to my comments of 28th July and 7th September an Arboricultural Appraisal and Implications Assessment has been submitted in support of this application. The document has been prepared by ACS (TREES) Consulting and is dated 9th September 2016. The document has been prepared in accordance with BS:5837-2012 ‘Trees in Relation to Design, Demolition and Construction’ and provides a comprehensive assessment of the trees within and adjacent to the site.

Section 2.2 of the report includes Table 1 which outlines proposed tree works. This includes the removal of a small number of low quality trees and some pruning of overhanging branches from trees in the Gate Public House car park, these works are all reasonable. The tree works specified for the large, Corsican Pine (T1), which is protected by TPO197 are described as ‘Root investigation and treatment’. The other works are specified with reference to the annotations used in the supplied ‘Specifications’ list (Sp2.1, Sp6). Root Pruning is listed as Sp8 in the specification list but is not used in the description. This is misleading as the proposed ‘treatment’ will be pruning and no investigations have been made into the likely extent of the pruning. Two short paragraphs, 2.5.5 and 2.5.6 discuss the theoretical implications of the root spread and impact of root loss but none of this is supported by an attempt to map the roots. ‘Treatment’ or Root Pruning is also proposed for a Field Maple (T8), in this case the works are likely to be minimal and are supported with a method statement (3.7) which makes clear reference to the diameter of the roots expected to be found. There is no such discussion of the ‘Treatment’ of the roots from T1, which is surprising in such an otherwise comprehensive report.

The submitted Tree Protection Plan (TPP1\_BH) shows a modified Root Protection Area (R.P.A.) for the Corsican Pine T1. BS:5837-2012 allows for the modification of R.P.A.’s where existing structures fall within the R.P.A., which is usually shown as a circle. This modified R.P.A. indicates that roots are expected to extend across the parking area to the front of Burford House and the open ground along the western boundary. Neither of these areas are shown to be protected with ground protection and this will need to be corrected.

Section 2.5.7 includes Table 2 which outlines the implications of the proposed construction on the trees and lists the mitigation measures proposed to minimise the impact on the trees. This does include detail on retaining the existing foundation within the R.P.A. of T1 and cutting it to ground level. This will help to minimise root disturbance but is likely to be very difficult to achieve. No discussion has been made of the proposed foundation methods within the R.P.A. of T1. The most challenging part of this whole scheme is the southern corner of the proposed building and how close it is to the large, protected Corsican Pine. This has not been adequately addressed in the ACS (TREES) Consulting report. The proposed scheme has the potential to cause significant root damage and loss to a tree which is a prominent landscape feature.

Some revisions to the landscaping scheme have been made (Rev C-19.09.16) which attempt to address concerns about the lack of screening to the western side of the proposed building. This includes 2.4m high metal railings which will support climbing plants along approximately three quarters of the length of the building. Seven additional trees have been proposed on the northern 20m of this boundary. This includes four Purple Plum and three Hawthorn, it would be preferable to have four Hawthorn and replace the Plums with Field Maple as is to be planted on the Rickmansworth Road frontage.

I remain of the opinion that the proposed scheme has the potential to damage the protected Corsican Pine T1. If the basement level was reduced further from this tree then I would be satisfied that the demolition and reconstruction could take place with minimal impact to this tree. In its current from I am unable to support this application and recommend refusal.

Reason:

The existing trees/hedgerows/shrubs represent an important public visual amenity in the area and should be protected in accordance with the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

If permission is granted it should be subject to the following conditions:

Landscaping – Details: No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping.

All hard landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted. All soft landscaping works required by the approved scheme shall be carried out in accordance with a programme to be agreed before development commences and shall be maintained including the replacement of any trees or plants which die are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species, unless the Local Planning Authority gives written consent to any variation for a period for five years from the date of the approved scheme was completed.

Reason: In the interests of visual amenity 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).

No felling or lopping: No trees, hedgerows or shrubs within the curtilage of the site, except those shown on the approved plan(s) or otherwise clearly indicated in the approved details as being removed, shall be felled, lopped or pruned, nor shall any roots be removed or pruned without the prior consent of the Local Planning Authority during development and for a period of five years after completion of the development hereby approved. Any topping or lopping approved shall be carried out in accordance with BS: 3998 (2010) ‘Recommendations for tree works’. Any trees, hedgerows or shrubs removed or which die or become dangerous, damaged or diseased before the end of a period of five years after completion of the development hereby approved shall be replaced with new trees, hedging or shrub species (of such size species and in such number and position as maybe agreed in writing), before the end of the first available planting season (1st October to 31st March) following their loss or removal.

Reason: The existing trees/hedgerows/shrubs represent an important public visual amenity in the area and should be protected in accordance with the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

Tree protection scheme- Details: No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The plans and particulars shall be prepared in accordance with BS: 5837 (2012) ‘Trees in relation to design, demolition and construction’

The protective measures, including fencing, shall be undertaken in accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

Reason: To protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

Method statement- Details: No development or other operation shall commence on site until a method statement has been submitted to and approved in writing by the Local Planning Authority. This method statement shall include details of timetables of works, method of demolition, removal of material from the site, importation and storage of building materials on the site, details and depths of underground service routes, methods of excavation and construction methods, in particular where they lie close to trees. The construction methods to be used shall ensure the retention and protection of trees, shrubs and hedges growing on or adjacent to the site. The development shall only be implemented in accordance with the approved method statement.

The fencing or other works which are part of the approved scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained.

Reason: To protect the visual amenities of the trees, area and to meet the requirements of Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

Arboricultural Method Statement: No development or other operation shall commence on site until a scheme (herein called the Approved Method Statement of Arboricultural Works Scheme) which indicates the construction methods to be used in order to ensure the retention and protection of tree, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the local planning authority.

No operations shall commence on site in connection with the development hereby approved (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) until the tree protection works required by the approved scheme are in place on site.

The fencing or other works which are part of the approved scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the local planning authority has first been sought and obtained.

Reason: To ensure that the protected trees are not affected during construction of the development hereby permitted, in the interests of visual amenity and 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).

4.3 Herts Highways: [No objection. Conditions suggested].

Condition (construction management):- The development shall not begin until full details of all proposed vehicle access, movements, parking arrangements and facilities for controlling dust and mud during the construction period have been submitted to and approved in writing by the Local Planning Authority. Details should be submitted in the form of a Construction Management Plan and the approved details should be implemented throughout the construction period.

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

Condition (Interim Travel Plan). Prior to the commencement of the construction of the proposed building hereby permitted an Interim Travel Plan shall be submitted, approved and signed off by the Local Planning Authority in consultation with the Highway Authority, such a Travel Plan shall accord with the Hertfordshire County Council document 'Hertfordshire Green Travel Plan Guidance'.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.

Condition (Full Travel Plan). No part of the development hereby permitted shall be occupied prior to implementation of the Interim Travel Plan. During the first year of occupation an approved Full Travel Plan based on the Interim Travel Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.

Highway comments: This application requests the demolition of the existing building and construction of a replacement 46 bedroom care home with access from Rickmansworth Road. This road is classified as a Main Distributor Road within Hertfordshire's road hierarchy and is subject to a 30mph speed restriction. The existing access arrangement is shown to be retained and this affords acceptable standards of visibility for vehicles emerging to and from the site. The site is located immediately adjacent to bus stop facilities and the Design and Access Statement acknowledges the need for a Green Travel Plan for the site. This document also confirms that the existing on-site car parking provision will be increased from 12 to 17 spaces and that the parking area will be constructed using a permeable block paving material to ensure that surface water from the area does not discharge onto the adjacent highway.

The completed proposal is not expected to result in a significant impact on the safety and operation of the adjacent highway network. The Highway Authority therefore does not raise any objection to the application subject to confirmation of the suggested planning conditions identified above.

4.4 Herts Ecology: [No objection. Condition and informative suggested].

We commented on an earlier iteration of this application by letter of 17 September 2015. That letter recommended the addition of an informative to provide protection for breeding birds and the need for bat activity surveys.

The advice regarding breeding birds still stands and wording is provided below:

In order to protect breeding birds, their nests, eggs and young, demolition/major renovation activities should only be carried out during the period October To February. If this is not possible then a pre-development (same-day) search of the area should be made by a suitably experienced ecologist. If active nests are found, then clearance work must be delayed until the juvenile birds have left the nest and are fully independent or professional ecological advice taken on how best to proceed.

In terms of bats, I am pleased to note that the activity survey was carried out (FOA Ecology, 2 January 2016) and despite limitations (acknowledged and otherwise) of completing surveys so late in the year and within such a short space of time, I have no reason to disagree with the outcomes. These suggest that although the presence of a roost cannot be ruled out, it is unlikely, and I believe that the subsequent mitigation measures recommended (ie additional survey, supervised soft-strip, installation of bat boxes and a suitable lighting regime pp 6-7) are reasonable and proportionate and likely to ensure than an offence will be avoided. However, there is no guarantee these will be adopted and the recommendations should, therefore be fully secured by condition.

Given that further monitoring is proposed and that the end of the survey season approaches, I recommend that the applicant ensures the surveys are carried out promptly to avoid delay.

4.5 Chorleywood Parish Council: [Objection]

The Committee had objections to this application on the following grounds and wish to call in unless are officers are minded to refuse this application.

The committee are concerned with the demolition of this Arts and Crafts Period house- Policy C12.

The development site is located within the Common Conservation Area;

The impact on the neighbouring properties

Overdevelopment of the site

Loss of amenity space

Concern with the 45 degree rule.

4.6 Thames Water: [No objection. Informative and condition suggested]

Waste Comments. Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission:"A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at http://www.thameswater.co.uk/business/9993.htm or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Water Comments: With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

4.7 Lead Flood Authority: [Initial objection overcome, conditions requested].

4.7.1 In the absence of an acceptable surface water drainage assessment, we object to this application and recommend refusal of planning permission until a satisfactory surface water drainage assessment has been submitted.

The surface water drainage assessment carried out by Stilwell Partnership reference P3069 Rev 1.0 dated June 2016 submitted with this application does not comply with the requirements set out in the Planning Practice Guide (as revised 6 April 2015) to the National Planning Policy Framework. The submitted surface water drainage assessment does not therefore; provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

In order for the Lead Local Flood Authority to advise the relevant local planning authority that the site will not increase flood risk to the site and elsewhere and can provide appropriate sustainable drainage techniques, the following information is required as part of the surface water drainage assessment;

1. The pre and post development surface water run-off rates and volume calculations for all rainfall events up to and including the 1 in 100 year plus 40% allowance for climate change event.

2. Provide alternative drainage strategy should deep bore soakaways prove not feasible.

Overcoming our objection

To address the points above, see comments below;

1. Please note that national climate change allowances have been updated for all applications validated on/or after 19 February 2016 and we now require all SuDS component to cater for all rainfall events up to and including the 1 in 100 plus 40% for climate change event. The drainage strategy should be updated accordingly.

2. We note that as part of the drainage strategy deep bore soakaways are being proposed. Onsite borehole soakage tests have yet to be undertaken; however we require these results to ensure the feasibility of the proposed drainage strategy. The applicant should consult with the Environment Agency to obtain any requirements they may have in relation for the use of deep bore soakaways

For further guidance on HCC’s policies on SuDS, HCC Developers Guide and Checklist and links to national policy and industry best practice guidance please refer to our surface water drainage webpage

http://www.hertfordshire.gov.uk/services/envplan/water/floods/surfacewaterdrainage/

Informative to the LPA

The applicant can overcome our objection by submitting an surface water drainage assessment which covers the deficiencies highlighted above and demonstrates that the development will not increase risk elsewhere and where possible reduces flood risk overall. If this cannot be achieved we are likely to maintain our objection to the application. Production of an surface water drainage assessment will not in itself result in the removal of an objection.

We ask to be re-consulted with the results of the surface water drainage assessment We will provide you with bespoke comments within 21 days of receiving formal re-consultation. Our objection will be maintained until an adequate surface water drainage assessment has been submitted.

4.7.2 Officer comment: A revised drainage strategy dated August 2016 was submitted to the LPA and the following comments have now been received:

4.7.3 In response to the drainage strategy report V 2.0 produced by Stillwell partnership dated August 2016 submitted to the local planning authority (LPA) in response to our previous letter dated 26 August 2016; we can confirm we are in a position to remove our objection on flood risk grounds.

At this full planning application stage the applicant has provided sufficient detail to demonstrate that there is a feasible drainage scheme for the site, including attenuation volumes and sustainable drainage measures such as permeable pavements and deep bore soakaways.

As this is a full planning application, we therefore recommend the following conditions to the local planning authority should planning permission be granted:

LLFA Position

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measures as detailed in the flood risk assessment submitted with this application are implemented and secured by way of a planning condition on any planning permission.

Conditions

Condition 1

The development permitted by in full by this planning permission shall be carried out in accordance with the drainage strategy report V 2.0 produced by Stillwell partnership dated August 2016 and the following mitigation measures as detailed within the drainage strategy.

1) The surface water run-off generated by the development shall be discharged via deep bore soakaways as indicated in drawing TSP/WES/P3069/001 Rev A included in appendix H of the drainage strategy report V 2.0 produced by Stillwell partnership dated August 2016.

2) Attenuation must be provided for by permeable pavements in the development to ensure that there is no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year event plus an allowance for climate change. Attenuation to be provided as indicated in drawing in drawing TSP/WES/P3069/001 Rev A included in appendix H of the drainage strategy report V 2.0 produced by Stillwell partnership dated August 2016.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority (LPA).

If after further detailed design and calculations the applicant proposes a reduction in the attenuation volumes to be provided in each catchment, such changes will need to be agreed with the LPA.

Reason: To prevent the increased risk of flooding, both on and off site

Condition 2: No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro- geological context of the development has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year + 40% for climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

1. Results of infiltration tests in accordance with BRE Digest 365 or a falling head test for any deep bore soakaway carried out at the proposed location for the structure must be provided.

2. Provision of a fully detailed drainage plan showing pipe diameters, pipe runs, invert levels, outlet points and location of SuDS features and supporting calculations in accordance with the results of the infiltration tests

3. Supporting calculations demonstrating that no flooding to the building will take place during any rainfall event up to and including the 1 in 100 year return period rainfall event plus 40% climate change allowance.

Reason: To prevent the increased risk of flooding, both on and off site

Informative to the LPA: The LPA will need to satisfy itself that the proposed surface water attenuation features can be maintained for its lifetime and we recommend the LPA obtains a maintenance and adoption plan from the applicant.

4.8 Affinity Water: No comments received

4.9 Herts and Middlesex Wildlife Trust: No comments received.

4.10 Herts Property Services: No comments received

4.11 Primary Care Trust: No comments received

4.12 National Grid: No comments received

5. **Neighbour Consultation**

5.1 No. consulted: 6 No. responses: None

5.2 Site Notice: Expiry: 09.08.2016

Press Notice: Expiry: 05.08.2016

5.3 Summary of Responses: None received.

6. **Reason for Delay**

6.1 To allow time for further amendments and information to be submitted by the applicant.

7. **Relevant Local Planning Policies:**

7.1 National Planning Policy Framework (NPPF)

7.1.1 On 27 March 2012, the framework of government guidance in the form of Planning Policy Statements and Planning Policy Guidance Notes was replaced by the National Planning Policy Framework (NPPF). The adopted policies of Three Rivers District Council reflect the content of the NPPF.

7.2 The Three Rivers Local Plan Core Strategy:

7.2.1 The Core Strategy was adopted by the Council on 17 October 2011. Relevant Policies include: CP1, CP2, CP3, CP6, CP8, CP9, CP10, CP11 and CP12.

7.3 Development Management Policies LDD:

7.3.1 The Development Management Policies LDD was adopted on 26 July 2013 having been through a full public participation process and Examination in Public. Relevant policies include: DM1, DM2,DM3, DM4,DM6, DM8, DM10 and DM13 and Appendices 2 and 5.

7.4 Other

7.4.1 The following Acts and legislation are also relevant: The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 Habitat Regulations 1994, the Localism Act 2011 and the Growth and Infrastructure Act 2013.

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

7.4.3 The Chorleywood Common Conservation Area Appraisal.

8. **Analysis**

8.1 Principle of Demolition

8.1.1 The applicant is proposing to demolish the existing building in order to provide a replacement building. Whilst the building is not statutorily listed or locally listed, Burford House is located within the Chorleywood Common Conservation Area and as such demolition is not automatically considered acceptable. Policy DM3 of the Development Management Policies LDD sets out the following in relation to demolition:

*‘Within Conservation Areas permission for development involving demolition or substantial demolition will only be granted if it can be demonstrated that:*

*I) The structure to be demolished makes no material contribution to the special character of the area or;*

*ii) It can be demonstrated that the structure is wholly beyond repair or incapable or beneficial use; or*

*ii) It can be demonstrated that the removal of the structure and its subsequent replacement with a new building and/or open space would lead to an enhancement of the Conservation Area.*

8.1.2 The Conservation Officer considers Burford House to be a heritage asset displaying many attractive Arts and Crafts features which are typical of the wider area. Whilst the Conservation Officer’s comments are noted, planning officers are of the view that the building has been substantially altered historically, with extensions of varying depths and heights including extension to the side/front that are prominent with the streetscene and Conservation Area. These extensions appear to have been added in an ad hoc fashion and as result, the character of the building has been significantly altered from that of the original building. The Conservation Officer acknowledges in their comments that the building has been significantly altered and extended on a number of occasions. It is therefore considered that Burford House in its current form makes a limited contribution to the character and appearance of the Chorleywood Common Conservation Area.

8.1.3 Policy DM3 also sets out that demolition may be considered acceptable if the structure is wholly beyond repair or incapable of beneficial use. The applicant has set out that the current building is not capable of fulfilling its existing use:

*‘The original building and the rather disjointed additional buildings possess narrow corridors, small communal areas and undersized bedrooms without ensuite facilities. A lift does serve part of the upper floors, but its size does not meet wheel chair standards and at first floor there are further changes in floor level which would not allow full DDA access throughout the premises….*

*In order to provide an environment for quality care and to satisfy the demand and care standards the proposal seeks to demolish the existing cluster of incongruent blocks and unify all spaces under one roof.*

8.1.4 Furthermore, the Design and Access Statement comments that the original fabric of Burford House was constructed without an insulated cavity, with later additions following the same form of construction. As a result the current building does not meet a sustainable agenda. The applicant states the following:

*‘To maintain adequate operational and comfort conditions for the frail elderly residents, high output levels from the domestic heating system are required to offset the excessive heat loss within the premises. This current strategy does not meet a sustainable agenda appropriate for the residents, staff and has over the years seen a disproportionate rise in running costs within the premises, which when considered in conjunction with the other practical and operational shortcomings of a care home, expanded over the years has had an implication on the ability to improve standards within quality care environment.*

8.1.5Consequently, it is not considered that it would be possible to retain the existing building and to retain the existing use. In addition, officers are of the view that it would be unlikely that a building of this size and with such ad hoc extensions would be able to be put to alternative use. It is likely that any alternative use would also seek permission for significant demolition works.

8.1.6 On balance, whilst the Conservation Officer’s comments are noted, officers are of the view that the substantial alterations and extensions have significantly altered the character of the original building such that it now makes a limited contribution to the Conservation Area. Furthermore, the nature of the additions and building means that it cannot fulfil its existing use due to it not being compliant with current care standards. In addition, it is unlikely that a building of this size could be put to an alternative use without requiring substantial works. As such, no objection is made to the demolition of the existing building subject to an acceptable replacement scheme which shall be discussed below.

8.2 Principle of Proposed Use

8.2.1 The existing building is currently in use as a residential care home for the elderly and therefore the principle of this use already exists on site. Policy CP3 of the Core Strategy relates to housing mix and density and advises the following:

*‘New development will also provide a range of house types and sizes to reflect the existing and future needs of the Three Rivers population and characteristics of housing in the area…. This includes provision of housing for the elderly and supported and specialist accommodation in suitable and sustainable locations’*.

8.2.2 Given the sustainable location and current use of the site, the principle of a residential care home is acceptable and in accordance with Policy CP3 of the Core Strategy. Furthermore, the supporting documents submitted by the applicant includes a letter from Herts County Council which specifies that in 2015 there was a requirement for an additional 3 nursing beds in the district, with a need for a further 40 by 2020. In addition the South West Herts SHMA January 2016 identifies the need for 593 residential/nursing care bed spaces between 2013-2036. Consequently, there is a need for this type of development within the county and the district.

8.3 Impact on the Streetscene and Conservation Area

8.3.1 Policy CP12 of the Core Strategy sets out that development should have ‘regard to local context and conserve or enhance the character, amenities and quality of an area’. Policy DM1 and Appendix 2 of the Development Management Policies LDD set out further guidance, stating that ‘layouts unable to maintain the particular character of the area in the vicinity of the application site in terms of plot size, plot depth, building footprint, plot frontage width, frontage building line, heights and gaps between buildings’ will not be supported. Policy DM3 of the Development Management Policies LDD relates to Heritage Assets and sets out that development in Conservation Areas will only be permitted where it is of a design and scale that preserves or enhances the Conservation Area.

8.3.2 In terms of siting, the existing and proposed overlay plan indicates that the proposed building line would be set back relative to the principle front wall of the existing building. It would also remain as set back relative to the front building line of both adjacent neighbours. As a result, the siting helps minimise any significant impact in terms of prominence. The basement accommodation would not be visible from any public vantage points which also minimises any significant harm. Appendix 2 of the Development Management Policies LDD also provides guidance on distances to be retained between the built form and flank boundaries stating:

‘*Development at first floor level and above should be set in from flank boundaries by a minimum of 1.2m. This distance may be increased in low density areas or where development would have an adverse effect on an adjoining property’.*

8.3.3 The original plans indicate that the flank wall of the building adjacent to the western boundary would be set in by 1.1m whilst a distance of 2.1m would be retained to the eastern boundary. This was not considered to be acceptable due to the spacious character of the streetscene and wider Conservation Area. As such, amended plans have been received which now illustrate a distance of 1.52m from the western boundary and a distance of 3.5m from the eastern boundary. These distances are now considered sufficient to ensure that the spacious character of the area is maintained. Furthermore, the side element adjacent to The Holt has been reduced from three storey to two storey during the course of the application which further minimises the visual impact of the development on the streetscene and wider Conservation Area.

8.3.4 The Conservation Officer has raised concerns regarding the design of the proposed building, commenting that it would be uncharacteristically wide, with dominant front projections and large areas of flat roof forms. It is acknowledged that the proposed building would be wider and therefore more prominent on site than the existing building; the visual impact of which is limited to some extent by the sloping catslide roof form to the flank elevations. However, it is considered that the proposed building has incorporated Arts and Crafts elements into the design which are reflective of the original building and the wider Conservation Area. For example, it is considered that the Dutch Hipped projections to the front elevation reflect the roof form of the original building, in addition, catslide roof forms with elements of tile hanging are proposed to the front elevation which is another key feature of the Arts and Crafts style. Amended plans received during the course of the application have also amended the materials used for the front projections to brick rather than tile hanging in order to break up the front elevation and soften its visual impact.

8.3.5 An indicative streetscene has also been submitted indicating that whilst the building would be higher than both adjacent neighbours, it would be lower in height than the maximum height of the existing building. Therefore, no objection is raised in this regard. However, a condition shall be attached requiring details of the existing and proposed slab levels and the slab levels of adjacent neighbours to be submitted to ensure that there would be no harm to the special character of the Conservation Area. In terms of roof form, a mansard style roof form is proposed. However, no objection is raised to this by officers given the varied architectural styles within the area. Flat roofed sections are also displayed on the existing building therefore further minimising the harm of this element. It is noted that the proposed building would also have deep flank elevations, however, given the nature of the existing building and the depths of the existing flank walls it is not considered that significant harm would occur relative to the existing situation. The Conservation Officer has also noted that the existing building has Burford House also has a notable deep plan. Furthermore, the western flank elevation is broken up by the addition of Dutch Hipped projections which also helps to mitigate the harm.

8.3.6 In terms of external materials, a mix of brick and tile hanging is proposed. Again, given the varied nature of the streetscene, no objection is raised in principle, however, a condition shall be attached specifying that samples of the proposed materials should be submitted and approved in writing prior to the commencement of development. This will ensure that the development would be sympathetic to the character and appearance of the streetscene and wider Conservation Area.

8.3.7 The Conservation Officer has commented that the scheme fails to retain historically significant boundaries and important open spaces. In response to this, the scheme has been amended to increase spacing to the boundaries in order to retain the character of the area. Furthermore, whilst there is limited open space to the rear of the site, this would not be discernible from the site frontage, therefore there would not be significant harm. In addition, the Conservation Officer has noted that there are a number of Listed Buildings opposite the site and the impact of the proposal on their setting needs to be considered. Given the separation by the highway and the amendments made to the application it is not considered that the development would have a significant impact on the setting of any Listed Building in the vicinity.

8.3.8 In summary, the Conservation Officer’s comments are acknowledged, however, it is considered that the proposed building as amended would ensure sufficient spacing is retained within the streetscene. Furthermore the amendments made to the scheme have resulted in a building more reflective of the Arts and Crafts architectural style. On balance, the development is considered acceptable and in accordance with Policies CP1 and CP12 of the Core Strategy and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD.

8.4 Impact on Metropolitan Green Belt

8.4.1 The site is within the Metropolitan Green Belt, where the fundamental aim is to prevent urban sprawl by keeping land permanently open; the essential characteristics of the Green Belt is its openness and permanence. The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

8.4.2 As with previous Green Belt policy, the NPPF identifies the five purposes of including land in Green Belts as:

* To check the unrestricted sprawl of large built-up areas;
* To prevent neighbouring towns from 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.

8.4.3 The NPPF sets out that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are given at paragraph 89 as follows:

* Buildings for agriculture and forestry;
* Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
* The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
* The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
* Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
* Limited infilling or the partial or complete redevelopment of previously development sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

8.4.4 Policy CP11 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD (adopted July 2013) reflect the guidance of the NPPF. The proposed development may be considered to be an excepted form of development as it seeks to replace an existing residential building. However, to fall within the exception, the replacement building must not be materially larger than the one it replaces.

8.4.5 Under the Town and Country Planning (Consultation) (England) Direction 2009, where a Local Planning Authority proposes to approve inappropriate development within the Green Belt of 1000m² or more, the application must be referred to the Secretary of State for Communities and Local Government before any planning permission can be issued. The Secretary of State has the power to call-in the application for his own determination. As the proposed new care home falls within these criteria, the application will need to be referred to the Secretary of State under this Direction if a resolution to grant planning permission is made by the Committee.

8.4.6 In this case, it is useful to consider the proposed increase in footprint in determining whether the building would be materially larger than what it replaces. The supporting document submitted by the applicant details that the existing home as a gross external footprint of 600m2 and as amended the replacement care home would have a gross external footprint of 878m2, therefore resulting in a 46% increase in floor space. As such, based on the increased footprint, the building would be materially larger than that it replaces. Furthermore, it is clear from the floor plans and elevations submitted that the building would be materially larger. As such, the proposal would be considered inappropriate development which is by definition harmful to the Metropolitan Green Belt.

8.4.7 In addition to the harm caused by reason of inappropriateness, it is considered that there would be actual harm to the openness of the Green Belt by reason of the scale and design of the proposed building. The existing building has limited visual impact due to the design of the existing building. It has a sloping catslide roof form to both flank elevations, resulting in a narrow ridge width. Consequently, there is a perception of spaciousness to either side. The original plans indicate that the proposed building would have an extended ridge width across three stories of approximately 19.8m . This represents a significant increase in width and therefore an impact on the openness of the site when viewed from the frontage. This concern was raised with the applicant and amended plans have been received increasing the distances to the boundaries. In addition, the second floor accommodation immediately adjacent to the boundary with The Holt has been removed from the plans. This therefore introduces some space at upper levels which retains a sense of spaciousness at the boundaries.

8.4.8 In addition, the western flank elevation would be deeper than the existing building with the Dutch hipped roof form to the flank and rear elevations further exacerbating the bulk and massing of the building from this view point. The deeper flank projections also result in a reduced rear amenity space, therefore further impacting on spacing around the building to the detriment of the openness of the Metropolitan Green Belt. Consequently, based on the above, it is considered that there would be actual harm to the openness of the Metropolitan Green Belt contrary the provisions of the NPPF and the Policy CP11 of the Core Strategy (adopted October 2011).

8.4.9 NPPF paragraph 87 states that inappropriate development should not be approved except in very special circumstances and paragraph 88 states that ‘local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.’ The applicant has submitted a supporting document setting out the very special circumstances that they consider outweigh the harm to the Green Belt. They consider that the existing accommodation is not fit for purposes and that there is a need for this type of accommodation. The evidence submitted is set out below.

8.4.10 As already outlined, HCC advised in 2015 that there is a shortfall of 3 bed spaces within the District, however, this would increase to 40 by 2020. Consequently, there is a need for this type of accommodation within the District. The new development would provide 16 further bed spaces, therefore, going some way towards meeting this shortfall.

8.4.11 The regulations surrounding care requirements have evolved since Burford House was first established. Whilst efforts have been made to enhance the existing accommodation, larger bedrooms are required to meet current care standards and to accommodate all of the requisite hoisting equipment that is required in this environment. Furthermore, none of the existing bedrooms have ensuite facilities. These are now a new standard requirement as infection control regulations require isolation facilities. All of the new bedrooms will incorporate ensuite facilities which are required for residents to retain their dignity. In addition, some rooms incorporate kitchenettes so that residents are able to retain some level of independence.

8.4.12 The existing premises are not fully accessible due to the piecemeal nature of the extensions. There are split levels, corridors are narrow and lifts are too small. The supporting statement sets out that the ‘*lift installation does not conform to DDA standards for independent access by wheelchair users’*. The new development will incorporate wider corridors and larger lifts in accordance with current standards.

8.4.13 Burford House will specialise in care for patients with dementia. Wandering paths have been incorporated in to the proposed development at ground and first floor levels. Within the corridors there will be seating areas for rests and memory walls. The communal spaces have been increased in size, with the proposed dayroom and dining facilities enhanced to provide more generous standards. The supporting statement advises that the current premises have a shortfall in communal spaces of over 30% compared with what would usually be required in any new residential care development. In addition, provision for therapy rooms, such as sensory rooms and a cinema have been included, all of which would enhance the quality of social facilities and the quality of living relative to the existing care home.

8.4.14 The applicant has also advised that maintaining the level of care and complying with the current regulations at Burford House as it exists currently is not a viable or a sustainable option. If a like for like replacement home was provided, then the bed capacity would need to be reduced to accommodate all of the additional requirements. The applicant has also advised:

*‘the costs of running care homes have gone up so exponentially as a direct result of the need to adhere with change in regulations and so economies of scale is a major factor. The care home has to be financially viable to allow investment and rebuilding it to meet the increasing needs of the community. There is an optimum point where the capacity of the care home renders significant investment unviable. The 46% increase in GEA is a critical threshold in viability terms’.*

8.4.15 The Local Planning Authority consider that the above would constitute very special circumstances to support the development. It is acknowledged that the building would be materially larger and that actual harm to the Green Belt would occur. However, there is a need for additional bed spaces within the district and Burford House as it currently exists fails to meet the current standards for its elderly residents. As such, whilst the development would constitute inappropriate development resulting in actual harm to the openness of the Green Belt, the very special circumstances presented are sufficient to outweigh this harm. The development is therefore considered to be acceptable and in accordance with Policy CP11 of the Core Strategy (adopted October 2011).

8.5 Impact to Neighbours

8.5.1 Policy CP12 of the Core Strategy states that the ‘Council will expect all development proposals to protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space’. Policy DM1 and Appendix 2 of the Development Management Policies LDD reflect the above guidance.

8.5.2 The western elevation of the site adjoins the boundary with The Gate Public House. As such, whilst acknowledging that there would be a deep flank wall adjacent to this boundary, it would not result in significant harm to any residential neighbours.

8.5.3 To the east of the site, is The Holt, a detached residential dwelling also fronting Rickmansworth Road. Appendix 2 of the Development Management Polies LDD advises the following with regard to two storey developments:

*‘Rear extensions should not intrude into a 45 degree splay line drawn across the rear garden on the joint boundary, level with the rear wall of the adjacent property. This principle is dependent on the spacing and relative positions of the dwellings and consideration will be given to the juxtaposition of properties, land levels and the position of windows and extensions on neighbouring properties’.*

8.5.4 The submitted site plan indicates a significant intrusion of the 45 degree line as a result of the proposed development, thereby suggesting that there would be some harm. However, due to the existing site circumstances, it is not considered appropriate to rely solely on this guideline; the reasons are set out below.

8.5.5 At present, Burford House has a large single storey addition with pitched roof form projecting along the common boundary with this neighbouring dwelling, this element has a maximum height of approximately 6m. The proposed scheme would introduce a two storey element along this boundary with a height of 6.1m, therefore not significantly higher than the existing maximum height. The proposed two storey element would also not be significantly deeper than existing single storey element of similar height and a distance of 3m would still be retained at the deepest point of this element. With regard to the three storey element, the plans indicate that this would be located a minimum of 8.2m away from the common boundary with this neighbour, with the deepest point of the three storey projection being located 14.4m from the boundary. Whilst it is acknowledged that this three storey element would be visible, due to the distances from the boundary and the existing level of development at Burford House, it is not considered that this would be so overbearing as to justify a refusal on this basis. Based on the submitted drawings and orientation, it is also not considered that this would result in significant loss of light relative to the existing situation. Furthermore, the maximum ridge height of the proposed building has been lowered relative to the maximum ridge height of the existing building by approximately 3.2m.

8.5.6 A previous concern raised by officers at the time of the last application was the impact on the Holt due to perceived and actual overlooking. The previous scheme included a number of flank windows which whilst proposed as angled were considered to have impact on the residential amenities of this neighbour. The current scheme has been now been amended so that the bedrooms located within this wing have their main windows looking into the external courtyard area. The proposed roof lights in this element facing towards the boundary with The Holt are indicated as serving the corridor areas and day room (therefore not habitable accommodation) with the section indicating that these would be set at a high level to prevent overlooking. A condition shall be added preventing the installation of any further windows and in addition, a condition is recommending requiring the rooflights to be retained at high level. The plans also indicate a number of windows at second floor level facing towards The Holt. However, it is not considered that these would result in significant harm as the plans indicate that they would serve a corridor area. Furthermore, a distance of 17.6m would be retained between this element and the common boundary which is considered sufficient to prevent significant harm to this neighbour as a result of overlooking. There would also be rooflights in the second floor flank roofslope facing The Holt. These would serve a dining room and TV area. Given the distance to the boundary of approximately 8.5m it is not considered that significant adverse harm would occur to The Holt in terms of overlooking.

8.5.7 Pennbury Cottage is located to the rear of the site. Appendix 2 of the Development Management Policies LDD recommends that a distance of 28m should be retained between the rear elevations of buildings to prevent significant harm to neighbours in terms of overlooking. Based on the submitted information and the existing site circumstances, a distance exceeding 35m would be retained between the rear of the Pennbury Cottage and Burford House which would be sufficient to prevent any significant harm.

8.5.8 There would be no significant impact to neighbours on the opposite side of Rickmansworth Road due to the separation as a result of the highway.

8.5.9 In summary, subject to the conditions discussed above, the development is considered to be acceptable and in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

8.6 Amenity Space

8.6.1 Appendix 2 of the Development Management Policies LDD sets out standards with regard to the provision of amenity space. It advises that for residential care homes, there should be at least 15 square metres per bed space which should be provided communally. As such, the proposed development would require 690 square metres of amenity space.

8.6.2 The submitted block plan indicates that there would be 373 square metres of amenity space to the rear of the site, 83square metres adjacent to the eastern boundary and 73 square metres to the west of the site. In addition, a central courtyard would be provided with an area of 73 square metres. Based on these figures, there would be 602 square metres of amenity space. This would therefore represent a shortfall of 88 square metres. Furthermore, it is not considered that the space provided adjacent to either flank boundary would act as useable and pleasant amenity space, therefore suggesting a further shortfall. However, the applicant has set out the following with regard to the outside amenity space requirements for residents:

‘*The garden in the current home is significantly underutilised as residents are not able to go outside for the vast majority of the year due to the cold, windy and rainy weather. During the warmer months, they prefer the shade of the current walled spaced by the building rather than the open garden lawn space as this area offers greater shade and protection for their frail skin and sensitive eyes. In addition, for safety reasons the residents must be accompanied when using the current garden which impacts their independence’.*

8.6.3 Therefore, whilst acknowledging the shortfall in amenity space, it is considered that the proposed development will offer more useable amenity space specifically designed for the needs of those occupying Burford House. The courtyard area in particular will offer residents the opportunity to enjoy outside space all year round. Whilst the rear amenity space will be smaller, there will be more seating and areas to be enjoyed by residents. A supporting statement submitted by the applicant also details that the *‘new build offers various internal spaces with glass ceilings and walls which can be enjoyed all year round by residents without exposing them to weather conditions. This offers further choice and health benefits in terms of wellbeing’.* The development also includes circular wandering pathways internally which have been designed specifically to ensure that there are no dead end. In addition, the development will also offer further day rooms, a coffee shop and meeting area; all of which will provide further amenity space for the residents of Burford House. Therefore, whilst there would be a shortfall in outside amenity space, the external and internal spaces have been specifically designed to meet the needs of the residents who will be occupying the building.

8.6.4 In summary, whilst it is acknowledged that the proposed development would not be in accordance with the standards set out in Appendix 2 of the Development Management Policies LDD, it is considered that there would be no significant harm due to the needs of the occupants of Burford House. As set out, the proposed development will offer more useable areas for residents to enjoy independently and throughout the year. The proposal is therefore considered acceptable.

8.7 Trees and Landscaping

8.7.1 The Landscape Officer raised an objection to the development in its original form, particularly noting the lack of an Arboricultural Impact Assessment.

8.7.2 Significant concern was raised in relation to the impact on the protected Corsican Pine tree to the front of the site which is located approximately 6m from the existing building; the root protection area of this tree is 13.4m. The Landscape Officer noted that the inclusion of a basement would make it impossible to use specialist foundations and that the proposal would be too far within the RPA. Consequently, the proposed development would be likely to result in the loss of this tree. Whilst the original plans indicated an intention to retain the tree, the lack of arboricultural input means that the feasibility of successfully retaining this tree has not been considered.

8.7.3 In addition, there are a number of trees outside of the site boundary within the car park of the Gate Public House. Some of the trees are close enough to require a method statement for the demolition of this part of the building. The retention of these trees is considered important as they offer the only screening to the building. The Landscape Officer considered it preferable for the building to be sited further away from the boundary and for more substantial landscaping along the boundary.

8.7.4 In response to the objections, an Arboricultural Impact Assessment and Landscaping Specification was submitted. The Landscape Officer notes that revisions to the landscaping scheme have been made which attempt to address concerns about the lack of screening to the western side of the building. This includes the provision of 2.4m high metal railings which will support climbing plants along the three quarters of the length of the building. Seven additional trees have also been proposed on the northern part of this boundary.

8.7.5 The Landscape Officer has continued to raise concerns regarding the impact on the Corsican Pine Tree to the site frontage. The submitted information does not include any discussion of the proposed foundation methods within the root protection area of this tree. The Landscape Officer notes that the most challenging part of this whole scheme is the southern corner of the proposed building and how close it is to the large protected Corsican Pine Tree, and this is not adequately addressed in the submitted information. Consequently, the proposed scheme has the potential to cause significant damage and loss to this protected tree. However, conditions have been suggested to ensure that any damage to the tree is limited.

8.7.6 Whilst the Landscape Officer’s concerns regarding the impact on the protected Corsican Pine Tree are acknowledged, the information submitted to date does not indicate that there would be certain damage to this protected tree to justify refusal of the application and the Landscape Officer has suggested conditions to ensure the protection of the tree during the course of development. The suggested conditions require full details to be submitted to, and approved in writing, by the Local Planning Authority prior to the commencement of works and the onus is on the applicant to comply with the conditions. Should sufficient evidence not be provided to enable the LPA to discharge the condition, then this scheme could not be implemented. Furthermore, in view of the significant benefits that the scheme as a whole would bring to the District, it is considered that it would not be reasonable to refuse planning permission on the basis that there may be damage to this tree.

8.8 Access and Car Parking

8.8.1 The existing access to the site is via Rickmansworth Road and this would be retained as part of the proposed development. The Highways Officer has commented that the access affords acceptable standards of visibility to and from vehicles entering and exiting the site. It is noted that the site is located immediately adjacent to bus stop facilities and the need for a Green Travel Plan has been acknowledged in the supporting documents. The Highways Officer has suggested that this should be secured via a condition.

8.8.2 Appendix 5 of the Development Management Policies LDD sets out the requirements for off street car parking provision. The standards for Class C2 elderly persons residential and nursing homes are 0.25 spaces per residential bed space. This would therefore equate to a total of 11.5 spaces. In addition, Appendix 5 requires 1 space per 2 non-residential staff members, therefore equating to a requirement of 5.75 spaces for carers. Therefore, a total would be required of 17.25 spaces would be required. A total of 17 spaces are proposed which would therefore be just below the maximum standard; in addition, it is also acknowledged that the staff numbers do not include other staff such as managers and cleaners. However, the site lies within parking zone 4, therefore this requirement can be reduced by up to 25%; the minimum requirement would therefore be 13 car parking spaces. Given the sustainable location of the site and that a Green Travel Plan would be required as a condition, it is considered that the proposed off street car parking provision would be acceptable.

8.9 Drainage

8.9.1 Policy DM8 of the Development Management Policies LDD requires development to include Sustainable Drainage Systems (SuDs) to reduce surface water run-off.

8.9.2 Hertfordshire County Council as the Lead Local Flood Authority raised an objection to the development in the absence of an acceptable sustainable drainage plan. In response, a further drainage strategy was submitted by the applicant and Hertfordshire County Council have withdrawn their initial objection. However conditions are considered necessary to ensure that the details submitted within the strategy are implemented. Therefore, subject to conditions the development is considered acceptable and in accordance with Policy DM8 of the Development Management Policies LDD.

8.10 Biodiversity

8.10.1 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 document. 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.

8.10.2 Herts Ecology note that an activity survey in relation to bats has been undertaken; which concludes that although the presence of a roost cannot be ruled out, it is unlikely. The survey recommends a number of mitigation measures including an additional survey, supervised soft strip, installation of bat boxes and suitable lighting regime. Herts Ecology consider that the suggested measures are reasonable and proportionate and likely to ensure that an offence would be avoided. However, it is necessary to add a condition requiring that these measures are undertaken to ensure that there would be no harm to any protected species.

8.10.3 In addition, Herts Ecology have also requested that an informative is attached to any consent to ensure that any breeding birds are protected.

8.11 Sustainability

8.11.1 Policy CP1 of the Core Strategy sets out that all applications for all new commercial development of one unit or more will be required to submit a CPLAN Energy and Sustainability Statement demonstrating the extent to which sustainability principles have been incorporated into the location, design and construction. Policy DM4 of the Development Management Policies Document states that development should provide 5% less Carbon Dioxide than Building Regulations Part L (2013) having regard to feasibility and viability.

8.11.2 An Energy Statement has been submitted which states that the development results in a total reduction of 10% which exceeds current Policy requirements. The Energy Statement details that this would be achieved through energy efficiency measures including:

* + - The provision of Solar PV panels on the flat roofed element of the proposed building
    - Rainwater harvesting and recycling
    - Water saving devices
    - Use of sustainable materials.

8.11.3 The provision of solar PV panels are indicated on the proposed plans and their location is considered to be acceptable. They would be located on of the crown roof and would not be readily visible from the site frontage. To ensure that the development would be in accordance with Policy CP1 of the Core Strategy and Policy DM4 of the Development Management Policies LDD (adopted July 2013).

8.12 Contributions

8.12.1 Policy CP8 of the Core Strategy requires development to make adequate contribution to infrastructure and services. The Three Rivers Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on 1 April 2015. However, there is no CIL charge for certain types of development including residential care homes.

9. Recommendation

(a) The application be referred to the Secretary of State for Communities and Local Government in accordance with the Town and Country Planning (Consultation) (England) Direction 2009.

(b) Provided the Secretary of State does not call in the application for his own determination, the APPLICATION BE DELEGATED TO THE HEAD OF REGULATORY SERVICES ON BEHALF OF THE DIRECTOR OF COMMUNITY AND ENVIRONMENTAL SERVICES TO GRANT PLANNING PERMISSION 16/1218/FUL 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:

L6814/1 Rev 1, L6814/2 REV 1, L6814/3, L/6814/4, L6814/5, L/6814/6, L6814/7, EX01 PL1, EX-06 PL1, EX-07 PL1, SP-01 PL5, GA-01 PL5. GA-02 PL6, GA-03 PL6, GA-04 PL6, GA-05 PL6, GA-07 PL3, GA-10 PL7, GA-11 PL7, GA-12 PL7, GA-13 PL7, GA-22 PL2. GA-23 PL5

Reason: For the avoidance of doubt, in the proper interests of planning and to protect the openness of the Metropolitan Green Belt and the character and appearance of the Conservation Area and in accordance with Policies CP1, CP3, CP6, CP8, CP9, C10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM2, DM3, DM4, DM6, DM8, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Chorleywood Common Conservation Area Appraisal.

C3 Before any building operations above ground level hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

Reason: To prevent the building being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C4 No development shall take place until details of the existing site levels and the proposed finished floor levels and sections of the proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: This condition is a pre commencement condition in order to ensure a satisfactory form of development relative to surrounding buildings and landscape and to meet the requirements of 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 occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected prior to occupation in accordance with the approved details and shall be permanently maintained as such thereafter.

Reason: To ensure that appropriate boundary treatments are proposed to safeguard the amenities of neighbouring properties and the character of the locality 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).

C6 The development shall not begin until full details of all proposed vehicle access, movements, parking arrangements and facilities for controlling dust and mud during the construction period have been submitted to and approved in writing by the Local Planning Authority. Details should be submitted in the form of a Construction Management Plan and the approved details should be implemented throughout the construction period:

Reason: This is a pre-commencement condition to minimise danger, obstruction, and inconvenience to users of the highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C7 Prior to the commencement of the construction of the proposed building hereby permitted an Interim Travel Plan shall be submitted, approved and signed off by the Local Planning Authority, such a Travel Plan shall accord with the Hertfordshire County Council document ‘Hertfordshire Green Travel Plan Guidance’.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

C8 No part of the development hereby permitted shall be occupied prior to implementation of the Interim Travel Plan. During the first year of occupation an approved Full Travel Plan based on the Interim Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority as part of the annual review.

Reason: To ensure that the development offers a wider range of travel choices to reduce the impact of travel and transport on the environment in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

C9 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping.

All hard landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted. All soft landscaping works required by the approved scheme shall be carried out in accordance with a programme to be agreed before development commences and shall be maintained including the replacement of any trees or plants which die are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species, unless the Local Planning Authority gives written consent to any variation for a period for five years from the date of the approved scheme was completed.

Reason: This is a pre-commencement condition in the interests of visual amenity in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2 and DM6 of the Development Management Policies LDD (adopted July 2013).

C10 No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The plans and particulars shall be prepared in accordance with BS: 5837 (2012) ‘Trees in relation to design, demolition and construction’

The protective measures, including fencing, shall be undertaken in accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

Reason: This is a pre-commencement condition to protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C11 No development or other operation shall commence on site until a method statement has been submitted to and approved in writing by the Local Planning Authority. This method statement shall include details of timetables of works, method of demolition, removal of material from the site, importation and storage of building materials on the site, details and depths of underground service routes, methods of excavation and construction methods, in particular where they lie close to trees. The construction methods to be used shall ensure the retention and protection of trees, shrubs and hedges growing on or adjacent to the site. The development shall only be implemented in accordance with the approved method statement.

The fencing or other works which are part of the approved scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained.

Reason: This is a pre-commencement condition to protect the visual amenities of the trees, area and to meet the requirements of Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C12 No development or other operation shall commence on site until a scheme (herein called the Approved Method Statement of Arboricultural Works Scheme) which indicates the construction methods to be used in order to ensure the retention and protection of the Corsican Pine Tree, other trees, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the local planning authority.

No operations shall commence on site in connection with the development hereby approved (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) until the tree protection works required by the approved scheme are in place on site.

The fencing or other works which are part of the approved scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the local planning authority has first been sought and obtained.

Reason: This is a pre-commencement condition to ensure that the protected trees are not affected during construction of the development hereby permitted, in the interests of visual amenity and 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).

C13 Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the elevations or roof slopes of the extension/development hereby approved.

Reason: To safeguard the residential amenities of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C14 The windows in the flank wall of the second floor gallery shall be e fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

Reason: To safeguard the amenities of the occupiers of neighbouring residential properties 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).

C15 The development shall not be occupied until the energy saving and renewable energy measures detailed within the Energy Statement submitted as part of the application are incorporated into the approved development.

Reason: To ensure that the development meets the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM4 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

C16 The development shall be undertaken in accordance with the submitted Mitigation measures set out in the letter from FOA Ecology dated 2nd January 2016.

Reason: To maintain wildlife habitat and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C17 The development permitted by in full by this planning permission shall be carried out in accordance with the drainage strategy report V 2.0 produced by Stillwell partnership dated August 2016 and the following mitigation measures as detailed within the drainage strategy.

1)The surface water run-off generated by the development shall be discharged via deep bore soakaways as indicated in drawing TSP/WES/P3069/001 Rev A included in appendix H of the drainage strategy report V 2.0 produced by Stillwell partnership dated August 2016.

2)Attenuation must be provided for by permeable pavements in the development to ensure that there is no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year event plus an allowance for climate change. Attenuation to be provided as indicated in drawing in drawing TSP/WES/P3069/001 Rev A included in appendix H of the drainage strategy report V 2.0 produced by Stillwell partnership dated August 2016.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority (LPA).

If after further detailed design and calculations the applicant proposes a reduction in the attenuation volumes to be provided in each catchment, such changes will need to be agreed with the LPA.

Reason: To prevent the increased risk of flooding, both on and off site in accordance with Policy DM8 of the Development Management Policies LDD (adopted July 2013).

C18 No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro- geological context of the development has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year + 40% for climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

1.Results of infiltration tests in accordance with BRE Digest 365 or a falling head test for any deep bore soakaway carried out at the proposed location for the structure must be provided.

2. Provision of a fully detailed drainage plan showing pipe diameters, pipe runs, invert levels, outlet points and location of SuDS features and supporting calculations in accordance with the results of the infiltration tests

3. Supporting calculations demonstrating that no flooding to the building will take place during any rainfall event up to and including the 1 in 100 year return period rainfall event plus 40% climate change allowance.

Reason: To prevent the increased risk of flooding, both on and off site in accordance with Policy DM8 of the Development Management Policies LDD (adopted July 2013).

C19 Prior to commencement of the development hereby permitted, details of the implementation, maintenance and management of the sustainable drainage scheme shall be submitted to and approved by the Local Planning Authority. The details shall include:

i. a timetable for its implementation, and

ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The scheme shall be implemented in accordance with the approved details prior to occupation and shall thereafter be managed and maintained.

Reason: To prevent pollution of the water environment and provide a sustainable system of water drainage and management to meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013).

C20 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

10. 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 £97 per request (or £28 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. The Council's Building Control section can be contacted on telephone number 01923 727132 or at the website above for more information and application forms.

Community Infrastructure Levy (CIL) - If your development is liable for CIL payments, it is a requirement under Regulation 67 (1) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Where possible, energy saving and water harvesting measures should be incorporated. Information on this is also available from the Council's Building Control section. 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.

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

I3 The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

I4 In order to protect breeding birds, their nests, eggs and young, demolition/major renovation activities should only be carried out during the period October To February. If this is not possible then a pre-development (same-day) search of the area should be made by a suitably experienced ecologist. If active nests are found, then clearance work must be delayed until the juvenile birds have left the nest and are fully independent or professional ecological advice taken on how best to proceed.

I5 Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at http://www.thameswater.co.uk/business/9993.htm or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Water Comments: With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.