**7. 16/2516/FUL – Part conversion, part demolition and construction of new buildings to create four dwellings with associated access, parking and landscaping at BULLSLAND FARM, BULLSLAND LANE, CHORLEYWOOD, WD3 5BG for Mr S Hayes**

**16/2517/LBC – Listed Building Consent: Part conversion, part demolition and construction of new buildings to create four dwellings with associated access, parking and landscaping AT BULLSLAND FARM, BULLSLAND LANE, CHORLEYWOOD, WD3 5BG for Mr S Hayes**

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| Parish: Chorleywood | Ward: Chorleywood South and Maple Cross |
| Officer: Rob Morgan  Expiry Statutory Period: 10.02.2017, agreed extension until 30.03.2017 | |
| Recommendation: That Planning Permission and Listed Building Consent be granted | |
|  | |
| Reason for consideration by the Committee: Called-in by Chorleywood Parish Council | |

1 **Relevant Planning History**

1.1 W/681/48 - Stables & Open Sheds - 28.12.1948.

1.2 W/351/50 - Stables - 30.05.1950.

1.3 W/411/50 - Open Shed - 24.04.1950.

1.4 W/575/50 - Stable & Garage - 30.05.1950.

1.5 W/1269/58 - Outline Application for Residential Development - 29.09.1958.

1.6 8/337/75 - Agricultural Building - Approved 02.09.1975.

1.7 8/308/93LB - (Listed Building Consent) Replacement panel in wall - 05.07.1993.

1.8 95/0004 - Construct new access road from Bullsland Lane to Old Shire Lane Approved - 05.06.1995.

1.9 95/0483 - (Certificate of lawfulness - Proposed development) for formation of vehicular access and erection of gate - Refused - 21.11.1995.

1.10 95/0709 - Partial demolition and refurbishment - Approval - 19.12.1995 97/0894 - Change of use of first floor of barn to residential accommodation - Approved 22.01.1998.

1.11 97/0894 - Change of use of first floor of barn (Building E) to residential accommodation - Approved and implemented - 22.01.97.

1.12 06/0902/LBC - Listed Building Consent: Internal and external alterations and removal of 2 existing roof lights and insertion of 3 roof lights on rear elevation - Approved 20.07.2006.

1.13 09/0655/LBC - Listed Building Consent: Installation of replacement sash and casement windows to match existing (Listed Farmhouse) - Approved - 14.07.2009.

1.14 09/1301/FUL - Replacement dwellinghouse following demolition of existing buildings. – Refused, for the following reasons:

R1 The proposal constitutes inappropriate development in the Green Belt that would result in an intensification of residential use and spread of urbanising development across the site, failing to safeguard the countryside from encroachment. Furthermore the proposal, by reason of the scale, bulk, massing and siting of the proposed buildings, would result in an urbanising and obtrusive form of development to the detriment of the openness of the Green Belt. No very special circumstances have been demonstrated to overcome the harm that the proposed development would have on the visual amenities of the Metropolitan Green Belt. The development is contrary to Policies GB1 and GB8 of the Three Rivers Local Plan 1996 – 2011, and Government Guidance contained in PPG2 and PPS7.

R2 The proposal by reason of its size and appearance would be out of keeping with its historical setting and would not have a satisfactory relationship with the listed buildings adversely affecting the setting and context of those listed buildings contrary to Policy C9 of the Three Rivers Local Pan 1996 – 2011 and Government Guidance contained in PPG15.

An Appeal of the above was withdrawn on July 2010.

1.15 09/1302/LBC - Listed Building Consent: Demolition of 9 outbuildings and modern barns and construction of replacement garaging at western end of listed barn - Approved in October 2009. Not implemented.

1.16 10/1259/FUL - Replacement dwellinghouse with detached garage/store building following demolition of existing buildings; re-siting of existing silo (revised proposal) – Refused in August 2010 for the following reasons;

R1 The proposal constitutes inappropriate development in the Green Belt that would result in an intensification of residential use and spread of urbanising development across the site, failing to safeguard the countryside from encroachment. Furthermore the proposal, by reason of the scale, bulk, massing and siting of the proposed buildings, would result in an urbanising and obtrusive form of development to the detriment of the openness of the Green Belt. No very special circumstances have been demonstrated to overcome the harm that the proposed development would have on the visual amenities of the Metropolitan Green Belt. The development is contrary to Policies GB1 and GB8 of the Three Rivers Local Plan 1996 – 2011, and Government Guidance contained in PPG2 and PPS7.

R2 The proposal by reason of its size and appearance would be out of keeping with its historical setting and would not have a satisfactory relationship with the Listed Buildings adversely affecting the setting, hierarchy of buildings on site and context of those Listed Buildings contrary to Policy C9 of the Three Rivers Local Pan 1996 – 2011 and Government Guidance contained in PPS5.

R3 The proposal fails to provide satisfactory evidence as to lack of adverse impact to the historic and architectural characteristics of those Curtilage Listed buildings (Buildings C and F) that are to be converted to residential use. Furthermore, no evidence has been submitted that demonstrates that the proposed alterations are appropriate to special interest of these Heritage Assets. As such the application is contrary to Policies C7 and C8 of the Three Rivers Local Plan 1996 – 2011.

An appeal for the above application was dismissed in April 2011 following a Public Inquiry.

1.17 10/1260/LBC - Listed Building Consent: Demolition of 10 no. outbuildings and modern barns. Refurbishment of two barns (buildings C and E) and restoration of concealed elevations to Listed barn (building B). Repositioning of silo (building O) - Refused in August 2010 for the following reason:

R1 Demolition of the Curtilage Listed outbuildings would have a detrimental impact on the character of the Listed buildings which derive group value from the relationship of the curtilage buildings in their current location. Loss of the Curtilage Listed outbuildings would fail to preserve the setting and relationship of the group. The proposed demolition would adversely impact the special interest and setting of the listed buildings contrary to Policy C9 of the Three Rivers Local Plan 1996 - 2011.

An appeal of the above application was dismissed in April 2011 following a Public Inquiry.

1.18 11/2171/PREAPP - Demolition of various outbuildings to create a new/replacement dwelling.

1.19 12/0632/CLED - Certificate of Lawfulness Existing Use: Operational development - completed in February 2005 for use as a single dwelling house, it is used as a single dwelling house – Refused, for the following reasons:

*‘Considering the evidence submitted with this application, in conjunction with site visits undertaken by officers of the Council, it is not considered that the mobile home is operational development within the meaning of Section 55 (1) of the Town and Country Planning Act 1990 (as amended).*

*The Council acknowledges the physical characteristics of the mobile home; namely the timber plinth, timber steps, the absence of wheels and connection to utilities including water, electricity, LPG and foul drainage. However, the Council considers that the timber plinth and steps could be easily removed without extensive works of deconstruction. Furthermore, the electricity cables could easily be detached, as could the drainage, water supply and LPG. The Council also considers that the wheels could easily be re-attached such as to facilitate mobility.*

*Accordingly this certificate is refused because the mobile home does not constitute operational development by reason of its lack of permanence and physical attachment to the land. The 10 year rule to establish lawful residential use therefore applies, as set out in Section 171B (3) of the Town and Country Planning Act 1990 (as amended). The mobile home has only been on site since 2005 by the applicant’s own admission and therefore the 10 year rule cannot be satisfied.’*

1.20 12/0633/CLED - Certificate of Lawfulness Existing Use: The use of the ground floor of Building E for residential purposes incidental to the main dwellinghouse (Building A) – Approved.

1.21 12/0854/PREAPP - Demolition of various outbuildings to create a new/replacement dwelling.

In summary, the Council considered that the proposed development would be acceptable, on balance, providing the identified concerns (i.e. in relation to scale, design and the form and extent of residential curtilage) were suitably addressed.

1.22 13/0022/FUL - New/replacement dwelling through conversion and extension of existing barns on the site, alterations to and refurbishment of curtilage Listed buildings, demolition of 20th Century agricultural buildings on the south of the site and associated landscaping – Permitted, not implemented.

1.23 13/0023/LBC - Listed Building Consent: New/replacement dwelling through conversion and extension of existing barns on the site, alterations to and refurbishment of curtilage Listed buildings, demolition of 20th Century agricultural buildings on the south of the site and associated landscaping - Permitted, not implemented.

1.24 13/1291/LBC - Removal of the lathe and plaster ceiling to the lounge area and replace with new 12.5mm plasterboard and 3mm skim coat – Application returned.

1.25 14/1070/LBC - Listed Building Consent: Removal of lath and plaster ceiling to lounge area and replace with new 12.5mm plasterboard and 3mm skim coat plaster – Permitted.

1.26 15/0898/PREAPP - Change of use of three redundant buildings to form three self-contained dwellings.

1.27 16/0590/PREAPP - Pre Application: Conversion of existing farm buildings to 5 residential units, conversion of hayloft to independent residential unit, demolition of buildings and creation of new buildings with associated works to access and landscaping details.

In summary, the Council considered that the partial or complete redevelopment of the farm complex may be acceptable in principle and would, dependent on the extent of residential uses and the scale of any new buildings, be considered as an appropriate form of development in the Green Belt. Nevertheless, concerns were raised that the cumulative impact of a net gain of five dwellings and new buildings would have on the openness of the Green Belt and the purposes of including land within it than the existing development.

1.28 16/0203/FUL - New/replacement dwelling through conversion and extension of existing barns on the site, alterations to and refurbishment of curtilage Listed buildings, demolition of 20th Century agricultural buildings on the south of the site and associated landscaping. Permitted 04.04.2016, not yet implemented.

1.29 16/0204/LBC - Listed Building Consent: New/replacement dwelling through conversion and extension of existing barns on the site, alterations to and refurbishment of curtilage Listed buildings, demolition of 20th Century agricultural buildings on the south of the site and associated landscaping. Permitted 04.04.2016, not yet implemented.

2. **Detailed Description of Application Site**

2.1 Bullsland Farm is a complex of domestic, residential and former agricultural buildings located within open countryside to the west of Heronsgate and the area known as The Swillet.

2.2 The complex is accessed from Bullsland Lane, a track to the east which meanders northwards where it becomes more established.

2.3The buildings within the application site are centred round an extensive paved courtyard faced by two Grade II listed buildings; the Farmhouse and a large timber barn with attached stables known as the Threshing Barn. The majority of the buildings sited to the immediate south and south-west of the Threshing Barn are listed by virtue of being curtilage structures or due to their physical attachment to the barn. The buildings towards the south of the complex are post 1948 and vary in scale and design.

2.4 There are two existing residential units on the site; Bullsland House and the Hayloft, with the latter incidental to the main dwellinghouse (Bullsland House). A mobile home is currently positioned within the open styled barn sited to the west and is used for ancillary residential purposes.

2.5 The application site is located within the Metropolitan Green Belt.

3. **Detailed Description of Proposed Development**

3.1 Overview

3.1.1 The applications seek full planning permission and listed building consent for part conversion, part demolition and construction of new buildings to create four dwellings with associated access, parking and landscaping.

3.1.2 The following buildings are to be retained in situ with no change:

Building A: Bullsland House, Grade II Listed detached farmhouse.

Building B: Threshing Barn, Grade II Listed timber barn.

Building E: The Hayloft, curtilage listed two storey brick building built along the boundary with Bullsland Lane.

Building P: Large modern former agricultural building to the south of the site.

3.1.3 The following buildings are to be converted to residential use:

Building C: Timber framed shed, curtilage listed. To form part of Unit 2 as detailed in full below.

Building F: Pitched roofed brick outbuilding to the west of the complex, curtilage listed. To form part of Unit 4 as detailed in full below.

3.1.4 The following buildings are to be relocated:

Building D: Pitched roofed brick building south of the listed barn, curtilage listed. To be reconstructed and relocated to form part of Unit 3 as detailed in full below.

3.1.5 The following buildings are to be demolished:

Building G: Lean-to element attached to Building C.

Building H: Lean-to element attached to Building C.

Building J: Flat roofed shed connecting Building D with Building G.

Building L: Large modern former agricultural building at centre of site.

Building M: Open-sided metal framed hay barn (occupied by a mobile home)

Building N: Lean-to at the rear of the Threshing Barn.

Building O: Disused silo to the rear of Building C.

3.1.6 In summary, the total existing floor space of built form on site would be reduced from 2,281sq.m to 1,396sq.m, a decrease of 39%. It is noted that the submitted Design and Access Statement (page 14) states a total floor space proposed of 956sq.m, a decrease of 58%. However, this figure appears to include Building P within the existing figures but omits this building from the proposed figures whereas the building is shown to be retained, the Design and Access Statement has also not been updated to reflect the amendments made during the course of the application (as detailed below).

3.1.7 The applicant has also provided volume calculations which indicate a reduction in volume across the site of 3,568cu.m; a reduction of 41%.

3.2 Detailed Description of Proposed Residential Units

3.2.1 The proposed part of the site to be redeveloped would form a second courtyard which would be physically and functionally separate from the existing area of hardstanding which fronts both the Hayloft and the Threshing Barn. The proposed courtyard would be sited to the south and south-west of the Threshing Barn and would be made up of a cluster of new and retained buildings including four new residential units and a detached garage building. Units 2, 3 and 4 would be sited on the southern side of the courtyard, Unit 1 would be sited towards the west and the garage building would be to the east. Access would run east to west from the existing access into the complex, in-between the Threshing Barn / Unit 1 and Units 2, 3 and 4.

3.2.2 Unit 1 would form a new two storey gabled building positioned towards the western part of the courtyard with its principal elevation fronting the courtyard to the east. The dwelling would measure 12m in width and 6m in depth and would have a maximum height of 6.4m and an eaves height of 4.5m. The dwelling would contain three bedrooms at first floor level. The amenity garden would be located to the west and would measure approximately 15m in depth and 12m in width.

3.2.3 Unit 3 would be the easternmost dwelling in the row to the south of the courtyard containing Units 3, 2 and 4 all of which would have their principal elevation fronting the courtyard to the north. Unit 3 would form a two storey gabled building that would include the reconstructed and relocated Building D. The dwelling would measure 17.8m in width and 5.4m – 7.8m in depth and would have a height of 4.2m – 7m and an eaves height of 2.3m – 4.3m. The dwelling would contain four bedrooms at first floor level. The amenity garden would be located to the south and would measure approximately 8m in depth and 17.5m in width.

3.2.4 Unit 2 would be physically attached to Unit 3 to the west. It would form an L-shaped two storey gabled building and would be created from the conversion and extension of Building C. The dwelling would measure 15m in width and 6.6m – 11.3m in depth and would have a height of 5.7m – 6m and an eaves height of 3.6m – 4.1m. The dwelling would contain four bedrooms at first floor level and an integral garage at ground floor level. The amenity garden would be located to the south and would measure approximately 8m in depth and 15m in width.

3.2.5 Unit 4 would be sited to the west of Unit 2 with a 0.4m separation between the units. It would form a single storey gabled building with roof accommodation and would be created from the conversion and extension of Building F. The dwelling would measure 11.7m – 7.6m in width and 7.2 – 11.3m in depth and would have a height of 5.7m. The dwelling would contain a ground floor bedroom and three further bedrooms in the roof space. The amenity garden would be located to the south and would measure approximately 8m in depth and 17m in width. Two parking spaces would be provided to the west of the dwelling.

3.2.6 The proposed buildings would be finished in red brickwork, black-stained weatherboarding, clay plain tiles with timber windows and doors and Conservation style rooflights.

3.2.7 Additional parking would be provided to the frontage of Unit 3 within the courtyard which would be bounded by a brick wall. In total the scheme would provide 12 parking spaces to serve the four dwellings.

3.2.8 To the south of the amenity spaces serving Units 2-4 would be a Haha gabion wall planted with grass to delineate the residential curtilages. The Haha would constitute a 0.6m drop in land level with a retaining gabion wall constructed along the length. The land beyond this would be a planted wildflower meadow which would slope back up to the natural land level away from the Haha. The gabion wall would be planted with grass to integrate the wall into the landscape.

3.2.9 During the course of the application amended plans have been submitted to:

* Delete a detached garage proposed in-between Unit 3 and the Threshing Barn.
* Re-orientate the extension to Unit 4 (Building F) from the west to the north.
* Introduce a Haha gabion wall to delineate the residential curtilages.
* Alterations to fenestration within the south elevation of Units 2 and 3.

4. **Consultation 16/2516/FUL & 16/2517/LBC**

4.1 National Grid

4.1.1 No comments received.

4.2 Conservation Officer

4.2.1 Summary: Objection.

4.2.2 *‘From the listed building setting point of view, the proposed new garage close to the listed barn at right angle to it and the extensions to building F (building "F" is identified on page 14 of the Design and Access Statement), increase the built footprint around the listed barn and farmhouse and other historic curtilage structures. An examination of historic maps demonstrates that the increased level of physical footprint now proposed (beyond 13/0022/FUL, 13/0023/LBC, 16/0203/FUL and 16/0204/LBC) never existed. Historically, these heritage assets would have stood alone and unencumbered by other buildings and the listed building setting point of view would prefer to see a closer reference to this historic situation.*

*Historically, there is no doubt that a barn and a farmhouse would have had a farmyard, however, the extent of this historic farmyard would have been limited to a few buildings and would have had a predominately agricultural character. A more intensive residential use of this site has already been accepted by 13/0022/FUL, 13/0023/LBC, 16/0203/FUL and 16/0204/LBC, however a further expansion of this residential use is fundamentally in conflict with the established agricultural character of these buildings and a residential use was not a use that these agricultural buildings were originally designed for and the best use for a heritage asset is the one it was originally designed for. Therefore, any further expansion of this residential use is fundamentally against the agricultural character of these heritage assets and any expansion should be kept to the minimum necessary.*

*Unit "F" is some way from the barn "B" and the farmhouse "A", however under provisions set out in primary legislation - the Planning (Listed Buildings and Conservation Areas) Act 1990: Section (5) "In this Act “listed building” means a building which is for the time being included in a list compiled or approved by the Secretary of State under this section; and for the purposes of this Act— (a) any object or structure fixed to the building; (b) any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1st July 1948,"*

*Unit "F" is pre-1948 and therefore a listed building.*

*An expansion under 13/0022/FUL, 13/0023/LBC, 16/0203/FUL and 16/0204/LBC has been previously permitted but an expansion beyond this permission in my view would harm the setting of the heritage assets.’*

4.3 Thames Water

4.3.1 Summary: No objection.

4.3.2 *‘Waste Comments*

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

*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. The contact number is 0800 009 3921.*

*Reason: To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.*

*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.*

4.4 Affinity Water

4.4.1 No comments received.

4.5 Chorleywood Parish Council

4.5.1 Summary: Objection.

4.5.2 *‘The Committee had Objections to this application on the following grounds and wish to CALL IN, unless the Officers are minded to refuse this application.*

* *Inappropriate development in the Green Belt that would result in an intensification of residential use and spread of urbanising develo0pment across this site, failing to safeguard the countryside from encroachment.*
* *The scale, bulk, massing and siting of the proposed dwellings will be detrimental to the openness of the Green Belt.*
* *The construction traffic using Bullsland Lane.*
* *The development is located in an Area of Natural Beauty and located within a historical setting.*
* *The size of the development and appearance would be out of keeping with its historical setting.’*

4.6 Hertfordshire Ecology

4.6.1 Summary: No objection.

*‘We have previously provided comments on a number of applications at this address - specifically in relation to bats and barn owls - and I have the following comments to make on this application:*

1. *An updated Bat and Barn Owl assessment of the buildings on site was made on 20 March 2016 by The Environmental Dimension Partnership (EDP). This updates a number of surveys carried out at the farm since 2006.*
2. *The Threshing Barn (Building B) is a known bat roost for Brown long-eared bats. The Farmhouse (Building A) is thought to have low potential for roosting bats. Both these buildings will not be affected by these proposals. The remaining 13 buildings are considered to have negligible potential for roosting bats.*
3. *The enhancements for roosting bats described within the 2012 Bat and Barn Owl Update Survey Report should be incorporated within any new proposals. These include the inclusion of four bat access tiles within the new buildings.*
4. *Evidence of nesting Barn owls in the Atcost Barn (Building P) was found and alternative permanent provision for them should be incorporated into the proposed development in accordance with the Barn Owl Trust’s guidance. This has previously been described as a bespoke roof void and/or Barn owl nest box.*
5. *Other birds have been recorded in a number of the buildings, including Little owl in the Timber framed barn (Building C). Due diligence to nesting birds must be considered and I advise as an* ***Informative*** *that:*

* *Site clearance (of buildings and vegetation) should be avoided during the bird breeding season (March to September inclusive) to protect breeding birds, their nests, eggs and young. If this is not possible then a search of the area should be made immediately prior to commencement of clearance/construction works by a suitably experienced Ecologist and if active nests are found, then work must be delayed until the last chick has fledged.*

1. *I would also like to see consideration given to the following, as* ***Informatives****:*

* *Any external lighting scheme, if relevant, should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites.*
* *New trees and shrubs should be predominantly native species, particularly those that bear blossom, fruit (berries) and nectar to support local wildlife; and night flowering plants to attract insects and increase foraging opportunities for bats. The planting of ash (Fraxinus excelsior) should be avoided due to the serious Ash dieback disease that is killing ash across Europe, and thus the subsequent ban on the movement of ash planting stock. Where non-native species are used they should be beneficial to biodiversity, providing a food source or habitat for wildlife.*

1. *I am pleased to see that the Design and Access Statement (by Dowlman Architecture, dated October 2016) reiterates these findings and considerations in Section 8.0 Ecology & Protected Species.’*

4.7 Herts & Middlesex Wildlife Trust

4.7.1 No comments received.

4.8 British Pipeline Agency

4.8.1 No comments received.

4.9 HCC Fire & Rescue Service

4.9.1 *‘I refer to the above mentioned application and am writing in respect of planning obligations sought by the County Council towards fire hydrants to minimise the impact of development on Hertfordshire County Council Services for the local community.*

*Based on the information provided to date we would seek the provision of fire hydrant(s), as set out within HCC's Planning Obligations Toolkit. We reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.*

*All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire-fighting facilities are provided on new developments. HCC therefore seek the provision of hydrants required to serve the proposed buildings by the developer through standard clauses set out in a Section 106 legal agreement or unilateral undertaking.*

*Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hardstanding facility provided for the fire service pumping appliance.*

*The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22). In practice, the number and location of hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.*

*Section 106 planning obligation clauses can be provided on request.*

*Justification: Fire hydrant provision based on the approach set out within the Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet Panel on 21 January 2008 and is available via the following link: www.hertsdirect.org/planningobligationstoolkit*

*The County Council seeks fire hydrant provisions for public adoptable fire hydrants and not private fire hydrants. Such hydrants are generally not within the building site and are not covered by Part B5 of the Building Regulations 2010 as supported by Secretary of State Guidance "Approved Document B".*

*In respect of Regulation 122 of the CIL Regulations 2010 the planning obligations sought from this proposal are:*

1. *Necessary to make the development acceptable in planning term*

*Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development (Circular 11/95: Use of conditions in planning permission, paragraph 83).*

*All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire-fighting facilities are provided on new developments. The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22).*

1. *Directly related to the development*

*Only those fire hydrants required to provide the necessary water supplies for fire-fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.*

1. *Fairly and reasonable related in scale and kind to the development*

*Only those fire hydrants required to provide the necessary water supplies for fire-fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.*

*I would be grateful if you would keep me informed about the progress of this application so that either instructions for a planning obligation can be given promptly if your authority if minded to grant consent or, in the event of an appeal, information can be submitted in support of the requested provision.’*

4.10 HCC Footpath Section

4.10.1 No comments received.

4.11 Highway Authority

4.11.1 Summary: No objection.

4.11.2 *‘Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.*

*This application proposes the part demolition of the existing property and construction of new buildings to create four dwellings with access from Bullsland Lane. The details submitted include a Design and Access Statement confirming that the existing vehicular access to this road will be retained. The site is located on a section of Bullsland Lane that is not maintained as a highway by Hertfordshire County Council. This section of the route operates as a bridleway and consequently its dimensions and construction are not suitable for any significant traffic volumes. Access to and from the surrounding highway network and local facilities is from the surfaced section of Bullsland Lane and Heronsgate Road to the north.*

*The Design and Access Statement also identifies an area for the storage of refuse bins within the site and it is assumed that the existing collection arrangements for the farm will be retained for the proposed property.*

*It is considered that the proposed development will not generate any major increase in traffic movements on the surrounding roads. The development proposal is therefore not expected to result in any significant detriment to the safety and operation of the surrounding highway network and the Highway Authority does not raise any objection to the application.’*

4.12 Landscape Officer

4.12.1 No comments received.

5. **Neighbour Consultation**

5.1 16/2516/FUL

5.1.1 Site/Press Notice:

* Site notice posted 11 January 2017 and expired 1 February 2017.
* Press notice published 30 December 2016 and expired 20 January 2017.

5.1.2 Neighbours consulted: 15

5.1.3 Number of responses: 4

5.1.4 Neighbours re-consulted on 8 March 2017.

5.1.5 Number of further responses: 0

5.2 16/2517/LBC

5.2.1 Site/Press Notice:

* Site notice posted 11 January 2017 and expired 1 February 2017.
* Press notice published 30 December 2016 and expired 20 January 2017.

5.2.2 Neighbours consulted: 15

5.2.3 Number of responses: 4

5.2.4 Neighbours re-consulted on 8 March 2017.

5.2.5 Number of further responses: 0

5.3 Summary of responses:

* Intensification of use of Bullsland Lane would represent a hazard to walkers, horse riders and those entering/exiting the children’s playground.
* Construction traffic should be carefully considered to ensure Bullsland Lane is maintained in an acceptable condition should permission be granted.
* Road improvement works would be required to Bullsland Lane.
* Object as this development is in the Green Belt, although noted that a number of unused buildings would be removed and the development is within the footprint of the existing buildings.

6. **Reason for Delay**

6.1 Not applicable.

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, CP4, 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, DM7, DM10 and DM13 and Appendices 2 and 5.

7.4 The Site Allocations LDD:

7.4.1 The Site Allocations LDD was adopted on 25 November 2014 having been through a full public participation process and Examination in Public. Relevant policies include SA1.

7.5 Other

7.5.1 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.

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

8. **Analysis**

8.1 Principle of Residential Development

8.1.1 The National Planning Policy Framework (NPPF) supports economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. In order to promote sustainable development in rural areas the NPPF makes it clear that housing should be located where it will enhance or maintain the vitality of rural communities. As a result, local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as *‘where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting’.*

8.1.2 The application site is not identified as part of the District’s housing supply in the Site Allocations LDD (SALDD) (adopted November 2014). Policy CP2 of the Core Strategy (adopted October 2011) stipulates that in assessing applications for development not identified as part of the District’s housing supply, including windfall sites, applications will be considered on a case by case basis having regard to:

1. The location of the proposed development, taking into account the Spatial Strategy
2. The sustainability of the development and its contribution to meeting local housing needs
3. Infrastructure requirements and the impact on the delivery of allocated housing sites
4. Monitoring information relating to housing supply and the Three Rivers housing targets.

8.1.3 Policy CP3 of the Core Strategy stipulates that housing development should make the most efficient use of land, without compromising the quality of the environment and existing residential uses.

8.1.4 The application site is not positioned within a sustainable location, outside of the urban areas identified within the Spatial Strategy of the Core Strategy and relatively isolated from Chorleywood and local transport services. However, the proposal would result in the partial redevelopment of the application site, including the re-use of disused buildings. Therefore, subject to the development resulting in an enhancement to the immediate setting, the principle of residential development may be considered acceptable.

8.1.5 The impact of the development on the immediate setting and all other material planning considerations are set out in detail below.

8.2 Impact on Metropolitan Green Belt

8.2.1 The application site is located within the Metropolitan Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

8.2.2 As set out at paragraph 80 of the NPPF, Green Belt serves five purposes:

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

8.2.3 The requirements of the NPPF are reflected in the adopted policies of the Core Strategy and Development Management Policies LDD (DMP LDD) (adopted July 2013). Policy CP11 of the Core Strategy states that there will be a general presumption against inappropriate development that would not preserve the openness of the Green Belt. Policy DM2 of the DMP LDD replicates guidance in the NPPF which stipulates at paragraph 89:

*‘A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:*

* *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 developed 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 that the existing development.’*

8.2.4 Annex 2 of the NPPF defines previously developed land as: *‘Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.’*

8.2.5 Paragraph 90 of the NPPF also states that certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These exceptions include *‘the re-use of buildings provided that the buildings are of permanent and substantial construction’*.

8.2.6 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF states that when considering proposals, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist unless harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

8.2.7 The proposal seeks the partial redevelopment of the Bullsland Farm complex including the re-use of a number of existing former agricultural buildings. Planning permission has previously been granted for the construction of one new dwelling on this site, originally in 2013 (LPA ref: 13/0022/FUL) and again in 2016 (LPA ref: 16/0203/FUL). Within the assessment of the 2013 scheme the officer’s report states:

*‘The Council is satisfied on the basis of evidence collated via planning enforcement investigation 11/0168/COMP (despite an ongoing agricultural use in Building P relating to an off-site agricultural enterprise) that the primary use of the overall site as an agricultural unit ceased in excess of four years ago and that the residential use of the site is now lawful by virtue of Section 171B of the Town and Country Planning Act 1990.’*

8.2.8 It is evident from the site visit and documentation accompanying this application that the majority of land and buildings remain disused or used for ancillary residential purposes. The development would therefore be considered as an exception to inappropriate development were the development not to have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

8.2.9 Furthermore, two existing buildings (Buildings C and F) would be converted to serve new independent residential units (Units 2 and 4) and Building D would be reconstructed and relocated to form part of Unit 3. All other buildings (excluding the Threshing Barn, Farmhouse and Hayloft) would be demolished. It is accepted that Buildings C and F are suitable for conversion and it is noted that both were utilised as part of the new dwellinghouse approved under planning permission 16/0203/FUL. However, both buildings would be extended to create the proposed dwellings and their conversion would result in an increase in the number of residential units within the site.

8.2.10 As set out at paragraph 3.1.6 of this report, the development would result in a reduction in floor space of approximately 39% to 1,396sq.m across the site. Further detail has also been provided during the course of the application which sets out the volume reduction across the site. In this case, the development would result in a reduction in volume from 8,645cu.m to 5,077cu.m, a total of 3,568cu.m or 41%.

8.2.11 The development therefore clearly results in a significant reduction to both footprint and volume of built form within the application site. The significant reduction in built form would have a direct positive impact on openness within the site and the removal of largescale buildings, particularly in the case of Buildings L, M and N, would have a positive impact on views of and through the application site from the open landscape which surrounds the site. Building L currently stands within close proximity to the highway, in-between the cluster of lower height former barns and the Hayloft and detracts from views from the south through the site towards the Farmhouse. Building M further exacerbates this screen of buildings due to its close proximity to Building L to the west.

8.2.12 It is accepted that the existing buildings are agricultural in their design and would be appropriate forms of development found within the Green Belt and the introduction of residential dwellings could be considered as a more urbanising form of development despite the positive impact on openness.

8.2.13 In this case, the proposed dwellings would largely re-use the existing agricultural and listed buildings on the site with modest extensions proposed. All new buildings and extensions to the existing built form would be designed to be in keeping with the rural nature of the application site with appropriate use of materials and fenestration detailing. Furthermore, the proposed dwellings would appear as 1.5 storey high buildings and no part of the new development would exceed the height of the existing Threshing Barn and the development would be significantly lower than the tallest building which currently exists on the site.

8.2.14 The amendments made during the course of the application has stopped a proposed incursion of additional built form to the west of the site through reorientation of the extension to Unit 4 to be sited to the north rather than the west. The most western part of Unit 4 would therefore form the existing flank wall of Building F (which is to be converted) and thus the development would be contained within the existing extent of built form within the site.

8.2.15 Further amendments during the course of the application has resulted in the introduction of a Haha gabion wall planted with grass to delineate the residential curtilages of the proposed dwellings to the south of the development. The Haha would provide a clearly defined boundary of the residential curtilages which would be relatively modest to serve the dwellings, therefore limiting the spread of residential paraphernalia. The limited residential curtilages would also increase openness within this southern section of the site through the creation of a wildflower buffer zone. This part of the site currently contains buildings M and L as well as extensive levels of hardstanding and the re-introduction of an open buffer zone would provide a significant enhancement to openness within the Green Belt and reduction in urbanising development.

8.2.16 While the proposed new courtyard would contain relatively high levels of hardstanding to the north of Units 2-4, the existing site is almost fully laid with hardstanding and the proposal would result in an overall reduction to hardstanding through the introduction of residential gardens and the wildflower buffer zone. It is also noted that the existing hardstanding is used for parking of vehicles due to the residential nature of the site. While an increase in parked vehicles is likely to occur, these would be mostly screened from the surrounding open landscape due to the courtyard layout of the development and are not considered to result in significant additional harm to the rural appearance of the Green Belt compared to the existing site circumstances.

8.2.17 The parking area to the frontage of Unit 3 would be bound by a wall to delineate the proposed courtyard from the existing residential dwelling and associated ancillary buildings. It is accepted that some form of boundary treatment would be necessary to functionally separate the two areas, however, to ensure a significant impact to openness does not occur, further details with regard to the design and height of the boundary walls is considered necessary and a condition would be recommended to any permission granted.

8.2.18 Overall, the partial redevelopment of the site, including the re-use of existing buildings, is not considered to have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. While the proposal would introduce four additional residential dwellings, the significant reduction in footprint and volume of built form within the site, the re-introduction of openness to the south and the appropriate scale and design of the proposed development would outweigh any harm caused to the Green Belt by the new residential development. The development would therefore accord with Policy CP11 of the Core Strategy, Policy DM2 of the DMP LDD and the NPPF.

8.3 Impact on Setting of Listed Buildings

8.3.1 Policy DM3 of the DMP LDD sets out that when assessing applications for development, there will be a presumption in favour of the retention and enhancement of heritage assets and 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.

8.3.2 The Farmhouse (Building A) originally dates from the late 16th Century or early 17th Century and is a two storey house consisting of timber frames, red brick, part roughcast and tile hung with a tiled roof. To the west by approximately 10m is a large attractive listed barn dated from around the 17th Century which has a weather boarded exterior with a tiled roof. This barn was included for its group value with the adjacent Farmhouse. Both buildings front a large expanse of hardstanding which forms a courtyard.

8.3.3 During the 2011 appeal (Ref: APP/P1940/A/10/2137683) the Inspector gave a relatively descriptive account of the buildings and spaces surrounding the main courtyard area:

*‘To the south-west the buildings defining the outer yard are a combination of older structures with some historic interest and other newer ones that also contribute to the enclosure of the yard. The modern large structures extending beyond are somewhat dominant due to their scale and design, and while their original use is in keeping with the agricultural context they distort the more compact historic core of the farmstead. Overall the agricultural character of the group and the expression of an incremental expansion of the farm provide a contextual setting for the individual listed buildings. However, this has been diluted by the cessation of farm use, weakening the contribution of an agricultural association to the significance of the historic assets.’*

8.3.4 It is considered that the proposed development which would include the demolition of Building N, a later structure which is attached to the south-west corner of the Threshing Barn, would enable the exposure and restoration of the Threshing Barn while the removal of the modern buildings to the south (Buildings M and N, in particular) would open views to and from the Farmhouse which are currently obscured. As such, the proposed demolition would better reveal the listed buildings.

8.3.5 Within the 2011 appeal the Inspector also noted that Buildings H, G and J hold no intrinsic value and Building D is of moderate interest. Buildings C and F were said to be of more interest as older farm buildings. Buildings C, D and F are to be retained as part of the development and would maintain the outer yard appearance these buildings contribute towards.

8.3.6 The 2011 appeal was dismissed as the proposed new dwelling was found to be of a similar scale to that of the Threshing Barn, thus detracting from its prominence. However, the proposed development would retain the scale and appearance of the historic buildings on the site with the majority of the proposed dwellings utilising the existing historic buildings themselves. Furthermore, no part of the development would exceed the height of the Threshing Barn.

8.3.7 It is noted that the Conservation Officer has objected to the proposal due to the impact of the detached garage and extension of Building F as part of the creation of Unit 4. Since the Conservation Officer’s comments were received the detached garage has been deleted from the proposal and the negative impact identified by the Conservation Officer would no longer apply to the scheme.

8.3.8 Furthermore, the extension in relation to Unit 4 has been re-sited to the north. The Conservation Officer considers that the extension to Unit 4 would increase built footprint around the listed Threshing Barn and Farmhouse. However, Unit 4 is sited a considerable distance from the listed buildings and, as identified above, the development as a whole would result in a significant reduction in built form around the listed buildings, including the removal of an attached later addition from the rear of the Threshing Barn (Building N).

8.3.9 The Conservation Officer considers that any further residential development would detract from the setting of the listed buildings by detracting from the original agricultural character of the site. However, the buildings are currently largely in ancillary residential use and the development would utilise the historic buildings to the south with extensions, alterations and the new buildings being of an appropriate scale and design to the setting of the listed buildings. The Conservation Officer accepts that the Threshing Barn and Farmhouse would have had a farmyard and the proposed development is considered to maintain, and in part improve, the relationship of built form surrounding the listed buildings.

8.3.10 While the Conservation Officer’s comments are acknowledged, it is not considered that the proposal would result in demonstrable harm to the listed buildings or their setting and the development would be acceptable in this regard in accordance with Policies CP1 and CP12 and Policy DM3 of the DMP LDD.

8.4 Impact on Residential Amenity

8.4.1 Policy CP12 of the Core Strategy states that development should *'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space.'* Policy DM1 and Appendix 2 of the DMP LDD set out that residential development should not result in loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.

8.4.2 Given the relatively isolated location of the application site, it is not considered that the proposed development would have a detrimental impact on neighbouring properties outside of the site.

8.4.3 The proposed development would be situated a sufficient distance away from the existing neighbouring properties within the site so as not to result in harm through loss of light, privacy or outlook. Furthermore, any noise and disturbance associated with the residential use of the site would not be materially greater than the previous agricultural use of the site.

8.4.4 In terms of the future occupiers of the dwellings themselves, Units 2 – 4 would largely align with the front and rear building lines of one another. While Unit 2 would project forward of Unit 4 to the north and the units would be sited within very close proximity of one another, it is noted that minimal windows have been located within the front elevation close to Unit 2 and significant harm through loss of light would not occur. Unit 1 would be at a sufficient distance to the north to limit impact on the other proposed dwellings.

8.4.5 The development would therefore not result in harm to the residential amenities of existing or future occupiers and the development would be acceptable in this regard in accordance with Policy CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the DMP LDD.

8.5 Amenity Space

8.5.1 Policy CP12 of the Core Strategy states that development should take into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space.

8.5.2 The proposed dwellings would each be served by rear gardens measuring a minimum area of 1,000sq.m which would far exceed the indicative requirement for dwellings of the sizes proposed. While it is noted that the 8m depth of the rear gardens of Units 2-4 would be relatively shallow, this represents the extent of usable residential curtilages, the wildflower buffer zone beyond would provide open landscape free from development and would contribute to the openness of the site and the space to the rear of the dwellings. The buffer zone would be identified through a Haha gabion which would be planted with grass to help integrate the change in land levels into the landscape. As viewed from the open landscape around the site the change in land levels would appear as a natural slope of the land and would avoid the need for additional urbanising boundary treatment to the rear gardens.

8.6 Design & Street Scene

8.6.1 Policy CP1 of the Core Strategy seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policies CP3 and CP12 of the Core Strategy set out that development should make efficient use of land but should also *'have regard to the local context and conserve or enhance the character, amenities and quality of an area'*.

8.6.2 Policies CP3 and CP12 of the Core Strategy set out that development should make efficient use of land but should also *‘have regard to the local context and conserve or enhance the character, amenities and quality of an area.’*

8.6.3 In terms of new residential development, Policy DM1 of the DMP LDD advises that the Council will protect the character and residential amenity of existing areas of housing from forms of new residential development which are inappropriate for the area. Policy DM1 states that:

*‘Development will only be supported where it can be demonstrated that the proposal will not result in:*

1. *Tandem development*
2. *Servicing by an awkward access drive which cannot easily be used by service vehicles*
3. *The generation of excessive levels of traffic*
4. *Loss of residential amenity*
5. *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, height, gaps between buildings and streetscape features (e.g. hedges, walls, grass verges etc.)’*

8.6.4 Policy DM7 of the DMP LDD also sets out that proposals that would unacceptably harm the character of the landscape in terms of siting, scale, design or external appearance will be refused planning permission and the Council will support proposals that lead to the removal or reduction in the impact of existing structures that are detrimental to the visual quality of the landscape.

8.6.5 The development would result in the partial redevelopment of an existing site and would therefore constitute the efficient use of brownfield land. The proposed courtyard layout of the development would be in keeping with the existing layout of the residential development in the site and would be appropriate to the rural character of the area. The proposed dwellings would be of an appropriate scale and rural design and would not have a detrimental impact on the rural character of the area.

8.6.6 Furthermore, while the development would result in the removal of agricultural buildings which are appropriate to the rural landscape, these include large scale structures which significantly reduce the openness of the site and impinge on views within the landscape.

8.6.7 The development would therefore be acceptable in accordance with Policies CP1, CP3 and CP12 of the Core Strategy and Policies DM1 and DM7 and Appendix 2 of the DMP LDD.

8.7 Highways, Parking & Access

8.7.1 Policy CP10 of the Core Strategy requires development to demonstrate that it will provide a safe and adequate means of access.

8.7.2 The Highway Authority has advised that the site is located on a section of Bullsland Lane that is not maintained as a highway by Hertfordshire County Council and has noted that this section of the route is not suitable for any significant traffic volumes. However, the Highway Authority does not consider that the proposed development would generate any major increase in traffic movements on the surrounding roads and it is therefore not expected to result in any significant detrimental impact to the safety and operation of the surrounding highway network.

8.7.3 Policy DM13 of the DMP LDD requires development to make provision for parking in accordance with the parking standards set out at Appendix 5 of the same document. Appendix 5 sets the parking requirement for a three bedroom dwelling as 2.25 spaces per dwelling (2 assigned spaces) and for a dwelling containing four or more bedrooms as 3 assigned spaces.

8.7.4 The proposal would result in the creation of 3 x four-bedroom dwellings and 1 x three-bedroom dwelling. The total parking requirement for the site would therefore total 11.25 spaces. A minimum of 12 car parking spaces would be provided within the integral garage and hardstanding within the site which would exceed the parking requirements for the development and would accord with Policy DM13 and Appendix 5 of the DMP LDD. The proposed double garage to serve Unit 2 would measure 5.6m in width and 6m in depth and would therefore be sufficient to provide two 4.8m x 2.4m parking spaces. To restrict the future dispersion of cars onto the adjacent hardstanding, a condition is recommended to require that the garage is retained for the parking of vehicles.

8.8 Housing Mix

8.8.1 Policy CP3 of the Core Strategy encourages development to cater for a wide range of housing needs. As a guide, the Council seeks 30% 1 bedroom units, 35% 2 bedroom units, 34% 3 bedroom units and 1% 4+ bedroom units.

8.8.2 The most recent SHMA, published in January 2016, identified the indicative targets for market sector dwelling size within Three Rivers District as 7.7% 1 bedroom units, 27.8% 2 bedroom units, 41.5% 3 bedroom units and 23% 4+ bedroom units.

8.8.3 The application proposes the creation of 1 x three-bedroom dwelling and 3 x four-bedroom dwellings. However, while the development would provide only three and four bedroom dwellings and would not reflect the detailed size mix required by Policy CP3 of the Core Strategy, given the relatively small scale of the development which results in four dwellings, it would not prejudice the overall supply of a mix of house types and sizes in the District such that it would be reasonable to refuse permission on this basis.

8.9 Landscaping & Trees

8.9.1 Policy DM6 of the Development Management Policies LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.

8.9.2 The Landscape Officer has not provided comments in relation to the proposal and there are no trees of particular amenity value within the site which would be impacted by the development. However, the proposal would require full details of hard and soft landscaping to ensure the gardens and wildflower buffer zone are appropriately landscaped and managed.

8.9.3 The submission of full details of boundary treatments and the Haha gabion wall would also be required by condition.

8.10 Sustainability

8.10.1 Policy DM4 of the DMP LDD states that from 2016, applications for new residential development will be required to demonstrate that the development will meet a zero carbon standard (as defined by central government). However, the Government is yet to provide a definition for zero carbon and the Council is therefore continuing to apply the 2013 requirements, i.e. applicants will be required to demonstrate that development will produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability.

8.10.2 The application has been accompanied by an Energy Statement dated November 2016. Units 1 and 3 constitute new buildings and the Energy Statement provides detail to show that these buildings would provide a 31% and 32% improvement on the TER emissions rate. While Units 2 and 4 constitute conversions and extensions of existing buildings and are not required to meet the requirements of Policy DM4, the Energy Statement also confirms that the design of these dwellings would significantly improve energy efficiency and emissions rates.

8.10.3 The development would therefore accord with the sustainability policies and targets of Policy CP1 of the Core Strategy and Policy DM4 of the DMP LDD.

8.11 Affordable Housing & Infrastructure Contributions

8.11.1 The proposed development would result in a net gain of four residential units at a total combined floor space of 830sq.m. Policy CP4 of the Core Strategy requires development that would result in a net gain of one or more dwellings to contribute to the provisions of affordable housing. The Affordable Housing SPD was approved by the Council in June 2011 as a material consideration and supports the implementation of Policy CP4.

8.11.2 However, following an appeal decision overturning the previous High Court judgement giving legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 by Brandon Lewis; the NPPG has been updated at paragraph 31 to advise that contributions should not be sought from developments of 10-units or fewer with a maximum combined gross floor space of no more than 1,000sq.m. As a result, the Local Planning Authority will no longer be requiring contributions towards affordable housing for sites which are below these thresholds.

8.11.3 As such, the proposed development would not be required to make a financial affordable housing contribution.

8.11.4 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. CIL is therefore applicable to this scheme. The Charging Schedule sets out that the application site is within ‘Area A’ within which the charge per sq.m of residential development is £180.

8.12 Wildlife & Biodiversity

8.12.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.

8.12.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies LDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application.

8.12.3 The application has been accompanied by a Bat and Barn Owl Survey Report and the ecological impacts of the development have been discussed within the Planning Statement and Design and Access Statement.

8.12.4 Hertfordshire Ecology has raised no objection to the proposal but advises of the inclusion of a number of informatives to any consent granted. The development is therefore not considered to have a detrimental impact on protected species.

8.13 Refuse & Recycling

8.13.1 Policy CP1 of the Core Strategy states that development should provide opportunities for recycling wherever possible. Policy DM10 of the DMP LDD sets out that adequate provision for the storage and recycling of waste should be incorporated into proposals and that new development will only be supported where the siting or design of waste/recycling areas would not result in any adverse impact to residential or workplace amenities, where waste/recycling areas can be easily accessed (and moved) by occupiers and waste operatives and where there would be no obstruction to pedestrian, cyclist or driver sight lines.

8.13.2 The application site currently contains residential properties and sufficient turning space for refuse and service vehicles would be provided within the proposed courtyard layout of the redeveloped part of the site. The development is therefore considered to provide acceptable provision for the collection of waste. However, to limit the impact on the Green Belt, it is considered appropriate to require full details of bin storage areas to be submitted by way of condition.

9. **Recommendation**

9.1 16/2516/FUL

9.1.1 That PLANNING PERMISSION BE GRANTEDsubject 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:

TRDC 001 (Location Plan)

8119-1 (1 of 6)

8119-1 (2 of 6)

8119-1 (3 of 6)

8119-1 (4 of 6)

8119-1 (5 of 6)

8119-1 (6 of 6)

S/2951-07 Rev. C

S/2951-08 Rev. C

S/2951-09 Rev. A

S/2951-11 Rev. A

S/2951-12 Rev. A

S/2951-101

S/2951-102

S/2951-103

S/2951-104

S/2951-105

S/2951-106

S/2951-107

S/2951-108

S/2951-109

S/2951-301 Rev. B

S/2951-302 Rev. A

S/2951-303 Rev. A

S/2951-304 Rev. A

S/2951-305 Rev. A

S/2951-306 Rev. A

S/2951-307 Rev. A

S/2951-308 Rev. A

S/2951-309 Rev. A

S/2951-310 Rev. A

S/2951-311 Rev. A

S/2951-312 Rev. A

S/2951-313 Rev. A

S/2951-314 Rev. A

S/2951-315

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the locality, the openness of the Green Belt and residential amenity of neighbouring occupiers, in accordance with Policies CP1, CP2, CP3, CP4, CP8, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM2, DM3, DM4, DM6, DM7, DM10 and DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and Policy SA1 of the Site Allocations LDD (adopted November 2014).

C3 The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and facilities for mud and dust control have been submitted to and approved in writing by the Local Planning Authority. The relevant details shall be submitted in the form of a Construction Management Plan and the approved details shall be implemented throughout the construction programme.

Reason: This is a pre commencement condition in order to minimise danger, obstruction and inconvenience to users of the adjacent 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).

C4 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, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development.

All hard and soft landscaping works required by the approved scheme shall be carried out completed prior to the first occupation of the development hereby permitted and the soft landscaping 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, for a period for five years from the date of the approved scheme was completed.

Reason: This is a pre commencement condition to protect the visual amenities of the trees, area and to meet the requirements of 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).

C5 Prior to commencement of the development hereby permitted, a plan clearly defining the residential curtilages of each dwelling shall be submitted to and approved in writing by the Local Planning Authority. For any land not included within the residential curtilages, a management plan (including long term design objectives, management responsibilities, timescales and maintenance schedules for all landscape areas) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved. The development shall be carried out in accordance with the approved details and the management plan shall be carried out as approved thereafter.

Reason: This is a pre commencement condition to ensure that the land is satisfactorily managed and maintained, in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2 and DM6 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C6 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 buildings being constructed in inappropriate materials in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2 and DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C7 Prior to the first occupation of the dwellings hereby approved a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected in accordance with the approved details prior to first occupation of the dwellings hereby approved.

Reason: To safeguard the visual amenities of neighbouring properties and the character of the locality in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and DM2 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C8 The development shall not be occupied until a scheme for the separate storage and collection of domestic waste has been submitted to and approved in writing by the Local Planning Authority. Details shall include siting, size and appearance of refuse and recycling facilities on the premises. The development hereby permitted shall not be occupied until the approved scheme has been implemented and these facilities should be retained permanently thereafter.

Reason: To ensure that satisfactory provision is made, in the interests of amenity and to ensure that the visual appearance of such provision is satisfactory in compliance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2, DM10 and Appendix 2 of the Development Management Policies document (adopted July 2013).

C9 Should they be required, detailed proposals for fire hydrants serving the development as incorporated into the provision of the mains water services for the development, whether by means of existing water services or new mains or extension to or diversion of existing services or apparatus, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of development. The development shall thereafter be implemented in accordance with the approved details prior to occupation of any building forming part of the development.

Reason: To ensure that there is adequate capacity for fire hydrants to be provided and to meet the requirements of Policies CP1 and CP8 of the Core Strategy (adopted October 2011).

C10 Immediately following the implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification) no development within the following Classes of Schedule 2 of the Order shall take place.

Part 1

Class A – enlargement, improvement or other alteration to the dwelling

Class B – addition or alteration to the roof

Class C – any other alteration to the roof

Class D – erection or construction of a porch

Class E – buildings incidental to the enjoyment of a dwellinghouse

Class F – hardsurfaces incidental to the enjoyment of a dwellinghouse

Class G – chimneys, flues etc. on a dwellinghouse

Part 2

Class A – a gate, fence, wall or other means of enclosure

No development of any of the above classes shall be constructed or placed on any part of the land subject of this permission.

Reason: To ensure adequate planning control over further development having regard to the limitations of the site and neighbouring properties and in the interests of the visual amenities of the site and the area in general, in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and DM2 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C11 The garage hereby permitted shall be kept available for the parking of motor vehicles at all times. The garage shall be used solely for the benefit of the occupants of the dwelling of which it forms part and their visitors and for no other purpose and permanently retained as such thereafter.

Reason: In the interests of visual amenities of the area and to ensure that on-site car parking provision is maintained to avoid the dispersion of vehicles on to the adjoining hardstanding to the detriment of the openness of the Metropolitan Green Belt and in accordance with Policies CP1, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2 and DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

C12 The development shall not be occupied until the energy saving measures detailed within the submitted Energy Statement are incorporated into the approved dwellings and permanently maintained thereafter.

Reason: To ensure that the development meets the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM4 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.

9.1.2 **Informatives**

I1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £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.

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

Where possible, energy saving and water harvesting measures should be incorporated. 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 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.

I3 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.

I4 It is the responsibility of a developer to make 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.

I5 Site clearance (of buildings and vegetation) should be avoided during the bird breeding season (March to September inclusive) to protect breeding birds, their nests, eggs and young. If this is not possible then a search of the area should be made immediately prior to commencement of clearance/construction works by a suitably experienced Ecologist and if active nests are found, then work must be delayed until the last chick has fledged.

I6 Any external lighting scheme, if relevant, should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites.

I7 New trees and shrubs should be predominantly native species, particularly those that bear blossom, fruit (berries) and nectar to support local wildlife; and night flowering plants to attract insects and increase foraging opportunities for bats. The planting of ash (Fraxinus excelsior) should be avoided due to the serious Ash dieback disease that is killing ash across Europe, and thus the subsequent ban on the movement of ash planting stock. Where non-native species are used they should be beneficial to biodiversity, providing a food source or habitat for wildlife.

9.2 16/2517/LBC

9.2.1 That LISTED BUILDING CONSENT BE GRANTEDsubject 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: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.

C2 The development hereby permitted shall be carried out in accordance with the following approved plans:

TRDC 001 (Location Plan)

8119-1 (1 of 6)

8119-1 (2 of 6)

8119-1 (3 of 6)

8119-1 (4 of 6)

8119-1 (5 of 6)

8119-1 (6 of 6)

S/2951-07 Rev. C

S/2951-08 Rev. C

S/2951-09 Rev. A

S/2951-11 Rev. A

S/2951-12 Rev. A

S/2951-101

S/2951-102

S/2951-103

S/2951-104

S/2951-105

S/2951-106

S/2951-107

S/2951-108

S/2951-109

S/2951-301 Rev. B

S/2951-302 Rev. A

S/2951-303 Rev. A

S/2951-304 Rev. A

S/2951-305 Rev. A

S/2951-306 Rev. A

S/2951-307 Rev. A

S/2951-308 Rev. A

S/2951-309 Rev. A

S/2951-310 Rev. A

S/2951-311 Rev. A

S/2951-312 Rev. A

S/2951-313 Rev. A

S/2951-314 Rev. A

S/2951-315

Reason: For the avoidance of doubt and in the proper interests of planning, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM3 and DM6 of the Development Management Policies LDD (adopted July 2013).

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 buildings being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

9.2.2 **Informatives**

I1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £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.

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

Where possible, energy saving and water harvesting measures should be incorporated. 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 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.